



... the best of the best of the Northwest.

## WALLA WALLA CITY COUNCIL

### Work Session Agenda

December 13, 2021 - 4:00 p.m.

Limited seating will be available for public attendance. Attendees must wear face masks or face shields to attend. Live video and audio stream of the meeting is available on the City's website at <https://www.wallawallawa.gov/government/city-council>. Members of the public also may attend this Work Session by using this [Zoom meeting link](#) or by calling 253-215-8782 and entering meeting ID 891 1554 1274#.

Mission: Dedicated to enhancing the quality of life in Walla Walla.

1. CALL TO ORDER

2. ACTIVE AGENDA

- A. **20 Mins.** Support of Tri-State Steelheaders' grant application for the removal of the 5th Avenue bridge over Mill Creek, and replacing it with a bicycle/pedestrian bridge. City Staff Lead - Monte Puymon, Engineering and Project Partner/Lead - Brian Burns, Tri-State Steelheaders
- B. **15 Mins.** Proposed Landfill rate modifications for 2022-2023
- C. **30 Mins.** Review proposed amendments to the Walla Walla Municipal Code Titles 19 (Subdivisions) and 20 (Zoning).
- D. **40 Mins.** American Rescue Act Plan potential projects

3. OTHER BUSINESS

4. ADJOURNMENT

**Values: Service, Integrity, Collaboration, Equity, Leadership, and Community**

**The City of Walla Walla complies with Title VI, ADA, and other applicable Federal civil rights laws and does not discriminate on the basis of race, color, national origin, age, disability, religion, veteran status, sexual orientation, gender identity, or sex.**



ar-4475

20 Mins.

**City Council - Work Session**

**Meeting Date:** 12/13/2021

**Item Title:** Grant application for removal of the 5th Avenue Bridge and replacing it with a Bicycle/Pedestrian Bridge

**Submitted For:** Monte Puymon, Public Works Department

**Add'l Contributors:**

**Project No:** ST19006

**Funding/BARS No.:**

**Financial Comments:**

The grant application is seeking no local match, however some participation from the City may be necessary to accommodate the bicycle/pedestrian bridge (e.g., lighting, sidewalks, and/or other amenities/features).

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**Information**

**HISTORY:**

Last discussed with Council at the February 8, 2021 Council Work Session ([click here for staff report, presentation, etc.](#)). Today's packet differs in two ways from the discussion in February. First, pursuit of this grant is through the Snake River Salmon Recovery Board. As such, the Tri-State Steelheaders would be the lead agency and not the City of Walla Walla. Second, the scope of this grant pursuit will include replacement of the existing bridge with a bicycle/pedestrian bridge. Council will be asked to consider a resolution supporting the pursuit of grant funding at the December 15 meeting.

**POLICY ISSUES:**

Removes an existing vehicular bridge, replacing it with a bicycle/pedestrian bridge.

**PLAN COMPLIANCE:**

**STRATEGIC PLAN:**

Strategic Initiative 2: Fix and Improve the City's Infrastructure.

Objectives:

2. Continue work on the City's Transportation Network (e.g. streets, sidewalks, bridges, etc.)

**COMPREHENSIVE PLAN:**

Community Character Goal 5 Walla Walla incorporates open spaces and natural features as part of its attractions and regional identity.

- CC Policy 5.1 Work with public and private partners to enhance the Mill Creek corridor with ecological restoration and trails to become a keystone asset in the city's physical identity.
- CC Policy 5.2 Protect and revitalize stream corridors and natural areas as the foundation of the city's character and name.

Land Use Goal 2 Walla Walla coordinates with neighboring communities and state agencies for the improvement of the region.

- LU Policy 2.3 Cooperate with neighboring communities to ensure the protection and revitalization of the region's natural resources.
- LU Policy 2.6 Cooperate regionally on the development and siting of essential public facilities to ensure that the burden, impact, and benefit is equitably distributed among neighboring communities.
- LU Policy 2.7 Continue coordination with the Confederated Tribes of the Umatilla Indian Reservation, the Army Corps of Engineers, and Walla Walla County Flood Control District to restore Mill Creek.

Land Use Goal 5 Walla Walla is a healthy city with opportunities for physical activity.

- LU Policy 5.1 Consider physical activity and health when adopting land use policies and regulations and in the siting of community facilities.

Economic Development Goal 2 Walla Walla has high-quality infrastructure to support economic development.

- ED Policy 2.1 Provide the infrastructure needed for business and industries to locate in Walla Walla, including utilities, transportation connections, and suitable land capacity.

Economic Development Goal 8 Tourism continues to be an important part of Walla Walla's economy, including heritage and wine tourism.

- ED Policy 8.2 Maintain and improve the built environment of sidewalks, parks, paths and other public amenities that visitors will enjoy and utilize.

Environment and Natural Resources Goal 1 Water, air, and soil resources in Walla Walla are protected.

- ENR Policy 1.7 Encourage cooperation and coordination among communities in the Walla Walla Basin to protect and enhance the environment and natural resources. Pursue regional solutions for air quality impacts and environmental problems related to industry and agriculture.
- ENR Policy 1.8 Protect the community from hazards, including, but not limited to, earthquakes, severe storms, wildfires and flooding.
- ENR Policy 1.9 Require compliance with standards and guidelines for endangered species protection.
- ENR Policy 1.10 Plan for the anticipated impacts of climate change, and participate in broader efforts to minimize climate change.
- Environment and Natural Resources Goal 2 Residents of Walla Walla are aware of environmental issues and strategies.
- ENR Policy 2.1 Work with partners to develop public awareness and educational programs for the protection and enhancement of natural areas.
- Environment and Natural Resources Goal 3 Restore Mill Creek to a natural ecosystem and improve fish habitat while recognizing the vital flood control functions of the channel.
- ENR Policy 3.1 Develop a Mill Creek Corridor Plan with a focus on the opportunity to "daylight" Mill Creek through the downtown. The Lower Mill Creek Assessment and Strategic Action Plan can be used for guidance.
- Transportation Goal 1 Promote and develop transportation systems that support and enhance the movement of people and goods to ensure a prosperous economy.
- TP Policy 1.2 Enhance existing and new crossings for pedestrians and bicyclists where appropriate.
- TP Policy 1.3 Provide facilities for all modes of transportation.
- Transportation Goal 2 Provide for and improve the safety and security of transportation users and the transportation system.
- TP Policy 2.1 Improve the efficiency, safety, access, capacity, and reliability of the freight system.
- TP Policy 2.2 Establish stable and diverse revenue sources to meet transportation investment needs of the City.
- TP Policy 2.3 Support and enhance access to and from major employment areas, the Walla Walla Regional Airport, and local tourism destinations.

- Transportation Goal 3 Provide all users with complete streets that connect the City of Walla Walla's neighborhoods, parks, schools, employment centers, and retail areas.
- TP Policy 3.2 Limit cul-de-sacs to enhance connectivity and accessibility for all users of the transportation system.
- Transportation Goal 4 Maintain, preserve, and extend the life of the City's transportation infrastructure.
- TP Policy 4.1 Inventory and prioritize preservation of existing transportation infrastructure (roads, bridges, traffic control devices, lighting, etc.).
- TP Policy 4.2 Maintain the existing transportation infrastructure to preserve the intended function and extend the useful life.
- TP Policy 4.3 Modify design standards where applicable to build cost effective transportation facilities.
- Transportation Goal 5 Design and construct transportation facilities in a manner that enhances the livability of the City of Walla Walla and health of its residents.
- TP Policy 5.1 Protect the scenic, natural, and cultural resources as well as the historic character of Walla Walla.
- TP Policy 5.2 Create a well-connected network of streets, paths, and transit service to provide active transportation options.
- Transportation Goal 6 Maintain the predictable movement of goods and people throughout the City of Walla Walla to relieve traffic congestion and improve reliability for freight.
- TP Policy 6.1 Implement new or improved transportation connections to enhance the efficiency and reliability of the multimodal transportation system.
- TP Policy 6.3 Improve travel reliability, safety, and efficiency with system management solutions (e.g., coordinated traffic signal timing).
- Capital Facilities and Utilities Goal 1 Walla Walla's capital facilities and utilities are well maintained and up-to-date to meet the demands of growth and economic development.
- CFU Policy 1.1 Maintain updated plans for the provision of public utility services.
- Capital Facilities and Utilities Goal 2 Capital facilities and utilities are located in such a way as to provide safe and efficient service to all residents.
- CFU Policy 2.3 Design and distribute public facilities and services, including streets and utilities, to ensure equitable supply and access to all segments of the population.
- CFU Policy 2.5 Situate emergency service facilities to maximize ease of access and minimize response time.
- Capital Facilities and Utilities Goal 5 The sound fiscal management of government services and facilities promotes a transparent and collaborative relationship between government and residents.
- CFU Policy 5.1 Plan for rehabilitation of the City's utility infrastructure to ensure safe, reliable, and efficient service.
- CFU Policy 5.2 Encourage and pursue, whenever feasible, opportunities to share facilities and costs with different public or private agencies/entities.

#### **ALTERNATIVES:**

Not pursue grant funding at this time.

#### **CITY MANAGER COMMENTS:**

Approved for City Council action.

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#### **Attachments**

2021-12-13 5th Ave Bridge

02-08-21 Minutes

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# 5<sup>th</sup> Avenue Bridge Grant

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## City Council Work Session

December 13, 2021

Presented By:

Monte Puymon P.E. – City of Walla Walla, Transportation Engineer

Brian Burns – Tri-State Steelheaders, Executive Director

# Seeking Council Support

- To partner with the Tri-State Steelheaders and the Snake River Salmon Recovery Board for funding through the Washington State Fish Barrier Removal Board
  - Remove 5<sup>th</sup> Avenue Bridge
  - Replace it with a Bicycle/Pedestrian Bridge
  - Fish passage enhancements
  - Grant Application is Due January 13, 2022
- Consider formal action at the December 15 Council Meeting



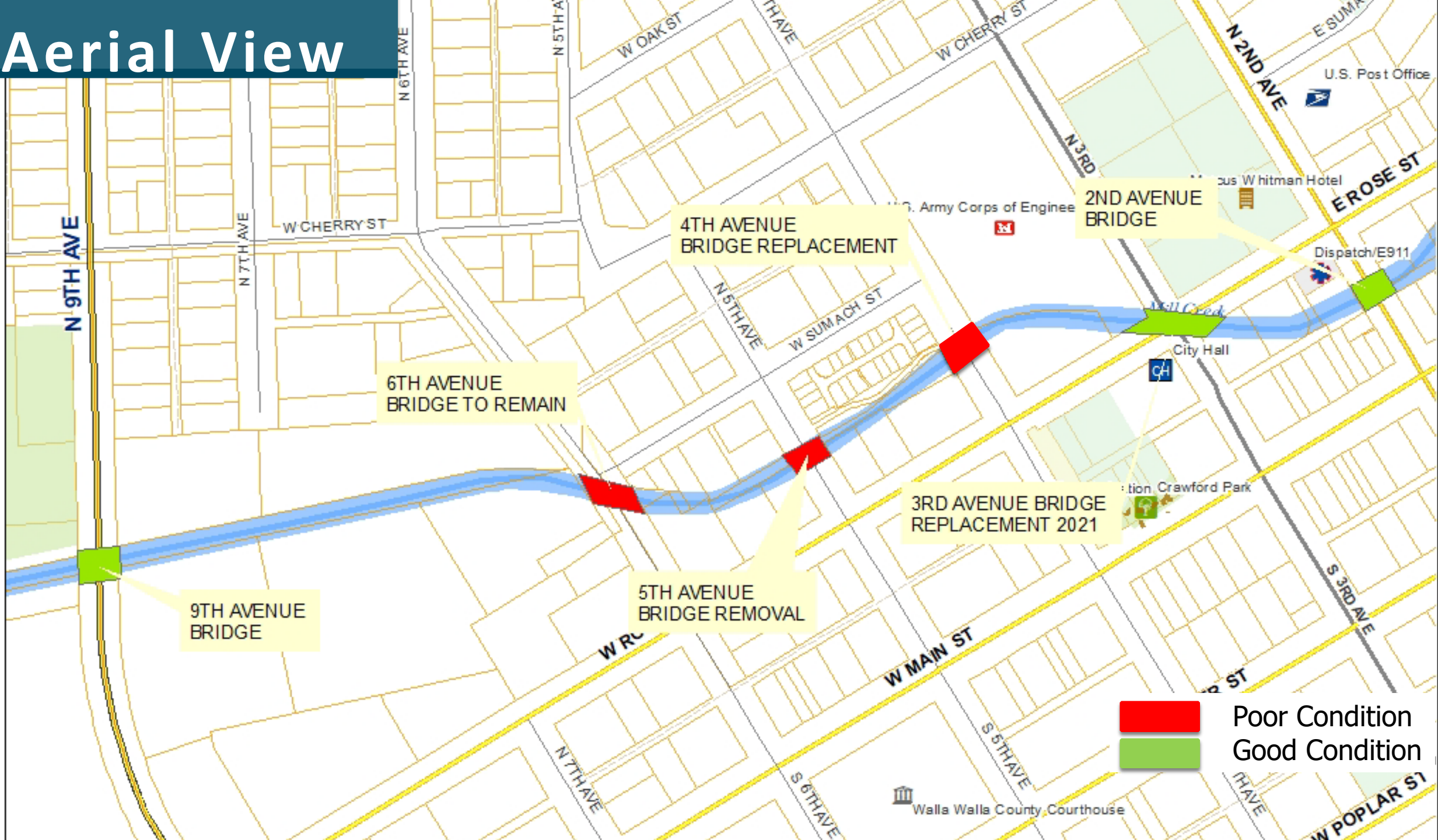
# Why – Conditions/Need

- 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> Ave bridges are at the end of their useful life (>75 years old) and are in poor condition.
- There are 6 bridges over 8 blocks crossing Mill Creek in this area:
  - 2nd Avenue
  - 3rd Avenue/Rose St – Replaced in 2021
  - 4th Avenue
  - 5th Avenue-Fish Passage Barrier
  - 6th Avenue-Fish Passage barrier
  - 9th Avenue





# Aerial View



# Why – Cost/Affordability

Bridge	Replacement	Removal/Replacement
4 <sup>th</sup> Avenue	\$3,600,000	\$3,600,000
5 <sup>th</sup> Avenue	\$3,500,000	\$1,200,000
6 <sup>th</sup> Avenue	\$4,300,000	\$1,500,000
<b>TOTAL</b>	<b>\$11,400,000</b>	<b>\$6,300,000</b>



# **PUBLIC OUTREACH – Jan/Feb 2021**

- Issued news release and posted to City Website.
- Walla Walla Union Bulletin, Fox 41 Yakima ran stories.
- Hard copies of English and Spanish fliers and surveys were handed out door to door to neighborhood north of Rose Street.
- Video explaining the proposed project in Spanish and English posted.
- City social media push included outreach to the following platforms:
  - Facebook (8,296 Followers)
  - Nextdoor (3,994 Members)
  - Twitter (588 Followers)

# PUBLIC INPUT

- Public response was generally in favor of the following:
- Replace 4th Avenue bridge.
- Remove 5th Avenue Bridge.
- Leave the 6th Avenue bridge as is for now. If removed replace it with a pedestrian bridge.



# WSDOT Bridge Program

- 2021 Application was Unsuccessful

## Fish Passage Partnership

- Tri-State Steelheaders
- Snake River Salmon Recovery Board



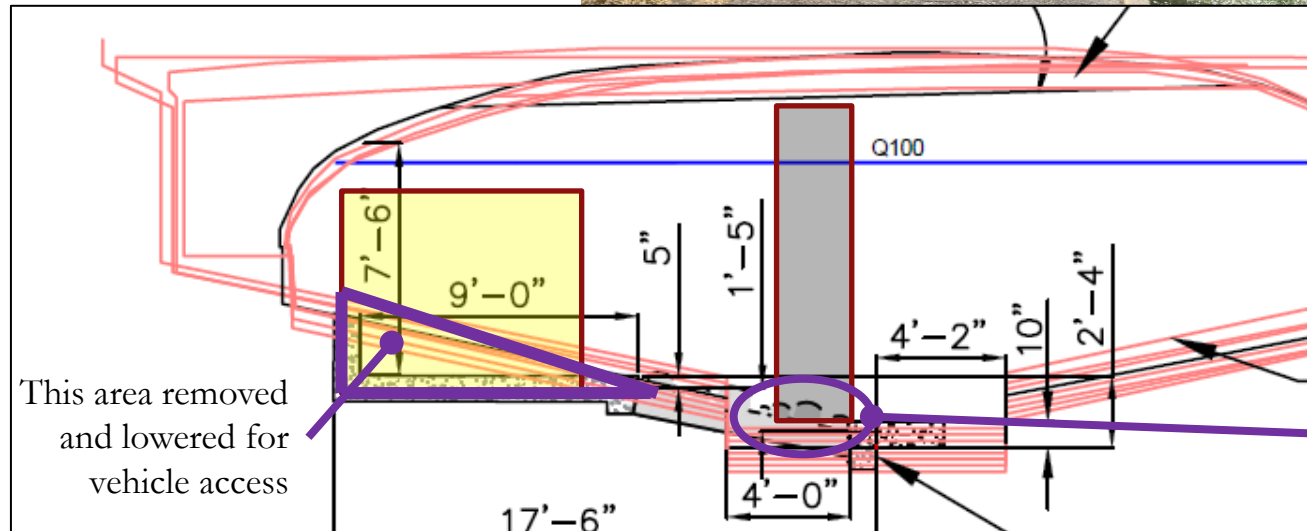
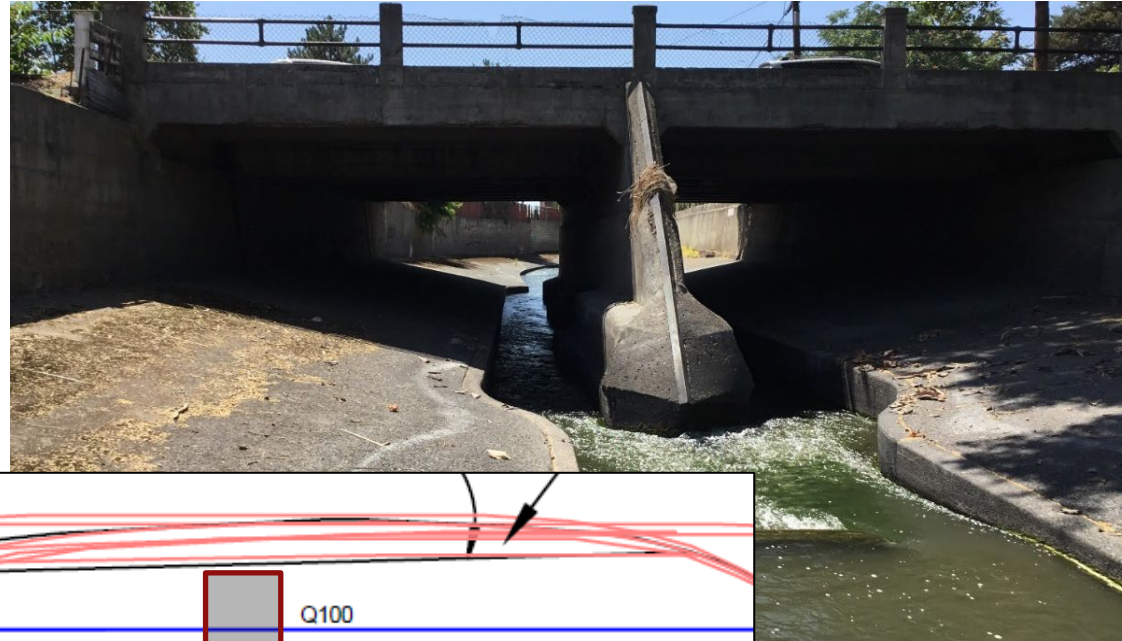


# Mill Creek Passage – 6<sup>th</sup> Ave Extension

5<sup>th</sup> and 6<sup>th</sup> Avenue bridge piers are barriers, and occupy space in the channel needed to fit the fish passage treatment and maintenance vehicle access

Left: View downstream at the 5<sup>th</sup> Avenue bridge

Below: Downstream view from the plan set. Red lines are the bridge and concrete channel. Yellow box represents clearance required by county public works maintenance vehicles.

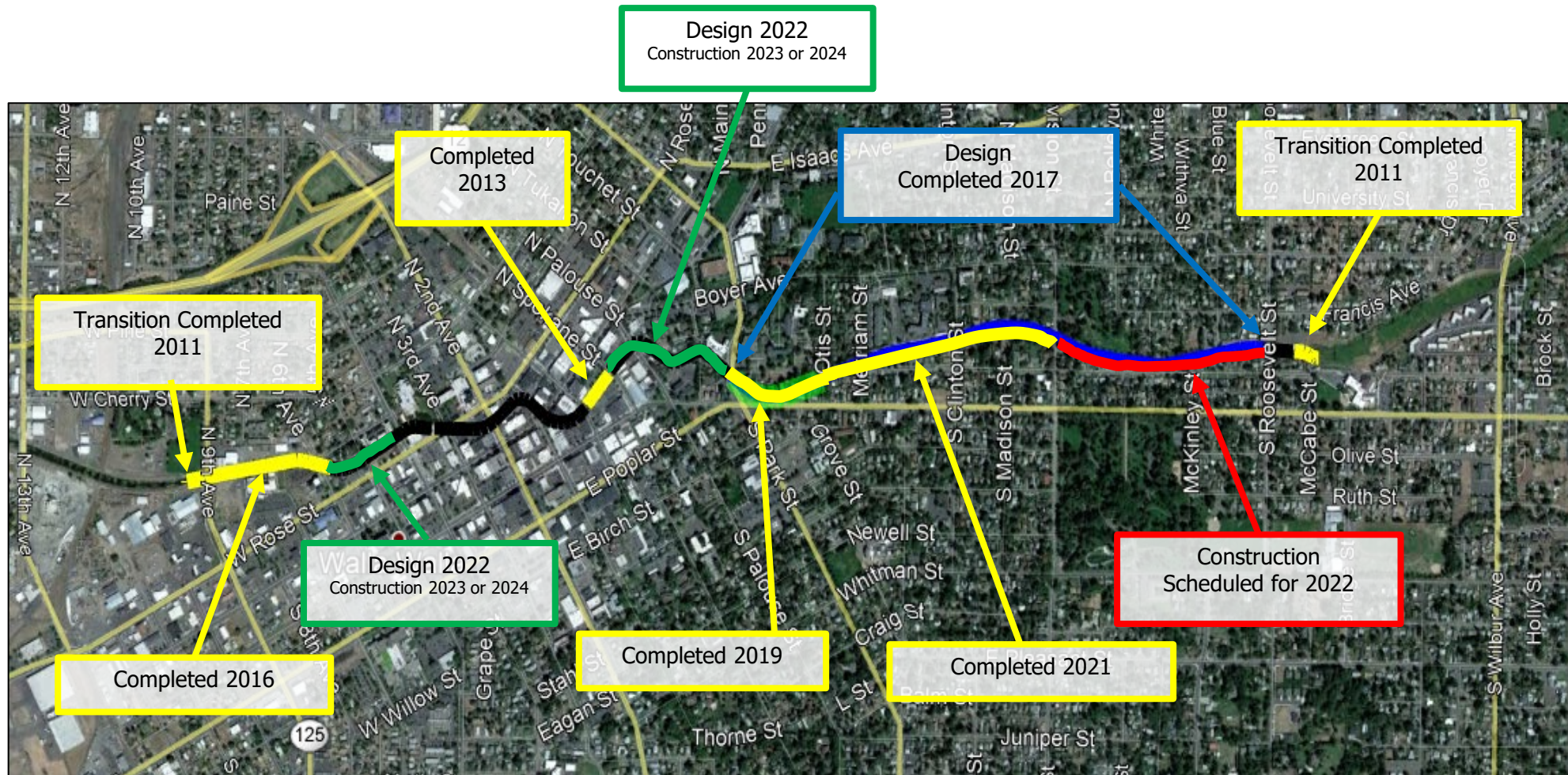


This area removed and lowered for vehicle access

The bridge pier area is needed for placement of fish passage treatment

# Overview of Mill Creek Fish Passage Projects

## Completed and Proposed Work



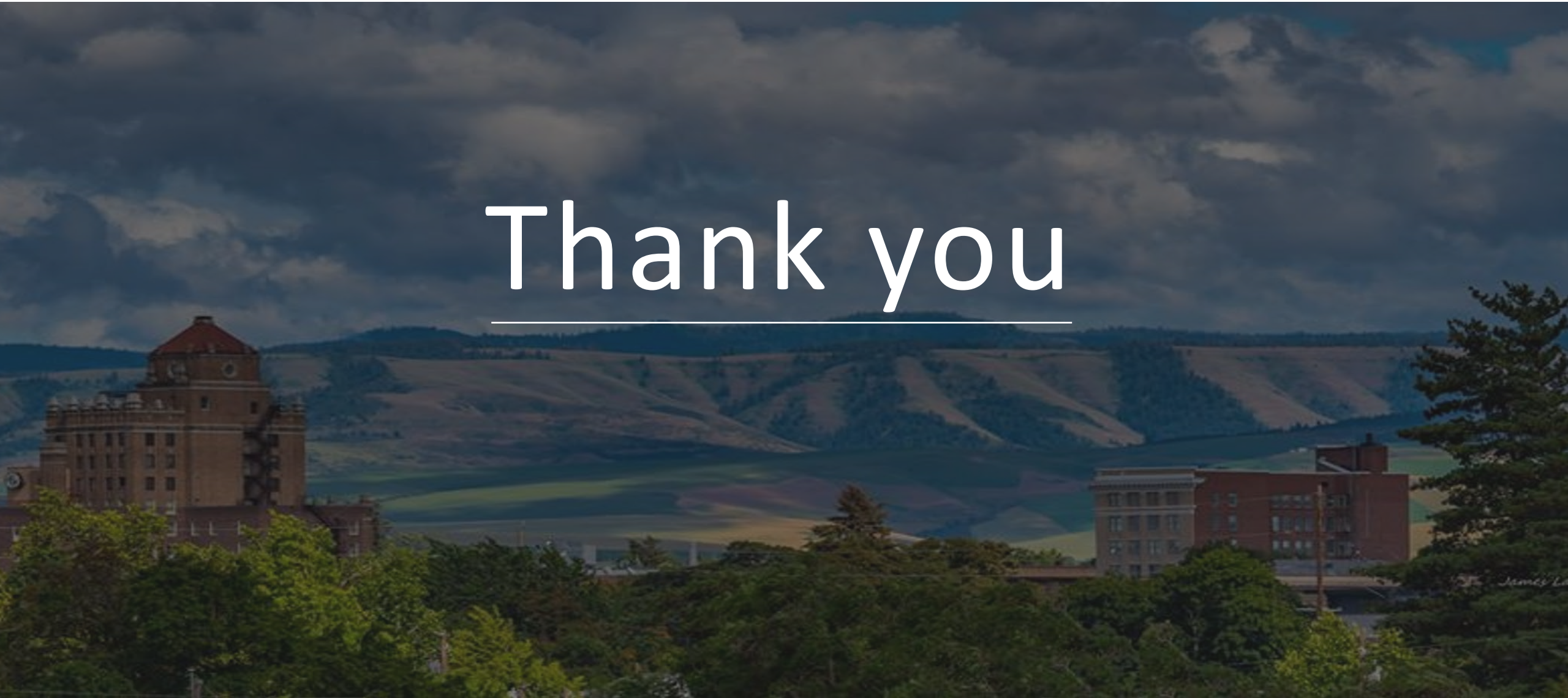


# Staff Recommends

- Partnering with the Tri-State Steelheaders and Snake River Salmon Recovery Board to pursue a Washington State Fish Barrier Removal Board grant including the removal of the existing 5<sup>th</sup> Avenue Bridge over Mill Creek and replacement with a Bicycle/Pedestrian Bridge.
- Next Step – Consider a resolution supporting a grant application at the December 15, 2021 Council Session.

# Thank you

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**WALLA WALLA CITY COUNCIL**  
**Work Session Minutes**  
**February 8, 2021**

**1. CALL TO ORDER**

Mayor Scribner called the virtual meeting to order at 4:00 p.m.

Present: Councilmembers Yazmin Bahena, Riley Clubb, Myron Huie, Ted Koehler, Steve Moss, Susan Nakonieczny, and Mayor Tom Scribner.

Absent: None

City staff in attendance: City Manager Nabel Shaw, Deputy City Manager Elizabeth Chamberlain, Public Works Director Ki Bealey, Civil Engineer Johnny LeMaster, and City Clerk Kammy Hill.

Also present: Retired Whitman College Professor Pat Henry and Scott Daggatt, W3 Entertainment.

**2. ACTIVE AGENDA**

- A. Discussion regarding public outreach for the 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup> Avenue bridges.

Staff reported there were 294 responses from the public outreach effort. These responses were very thoughtful. The City cannot afford to replace all the failing bridges. The bridges at 5<sup>th</sup> and 6<sup>th</sup> Avenues are detrimental to fish passage. Staff is recommending applying for a grant, due by February 19, to replace the 4<sup>th</sup> Avenue bridge and removing the 5<sup>th</sup> Avenue bridge. The bridge on 6<sup>th</sup> Avenue will be left to further develop pedestrian crossing concepts.

There was discussion on the alternatives, loss of connectivity in the neighborhood, staff's recommendation, and gathering additional input from actual residents in the neighborhood.

There were no objections to staff's recommendation.

- B. 1. Nuclear weapons ban treaty.

Professor Henry summarized the ratification of the United Nations treaty on the prohibition of nuclear weapons on January 22, 2021. All countries with



## **WORK SESSION MINUTES**

**FEBRUARY 8, 2021**

**PAGE 2**

nuclear weapons have ignored this treaty and have not ratified approval. The International Campaign to Abolish Nuclear Weapons (ICAN) has launched a campaign to encourage cities and towns to sign a petition to show their support for the abolishment of nuclear weapons through this treaty. Professor Henry read the specific language the Council is being asked to consider. There was discussion on the request.

- B. 2. Council discussion on national and international policy positions.

Council discussed their individual opinions on whether it is the role of the City Council to address and act on issues that are not directly related to City business.

Mayor Scribner reported he would work with Mayor Pro Tem Moss and City Manager Shawa to develop an action item for a future meeting to address the request from Professor Henry to have the City of Walla Walla show its support for the abolishment of nuclear weapons. The broader policy issue will be discussed at a future Council retreat.

- C. Update on music initiative.

Staff provided an update on the efforts to bring concerts to Walla Walla, establishment of the "range amphitheater," and the three agreements necessary to make this happen. The proposed agreement with W3 Entertainment will include the imposition of a five percent ticket tax with thirty-five percent of the revenue set aside as a rebate, up to \$100,000, for the improvements the proposed amphitheater site requires for concerts.

Mr. Daggatt outlined the current environment in trying to book entertainment during the COVID-19 pandemic.

There was discussion on how the \$100,000 rebate was determined. Staff reported this amount is based on cost projections for the site improvements. The rebate will not exceed \$100,000 or actual costs, whichever is greater.

### **3. ADJOURNMENT**

There being no further business, the meeting adjourned at 5:55 p.m.



ar-4446

15 Mins.

**City Council - Work Session**

**Meeting Date:** 12/13/2021

**Item Title:** Landfill Rates Update

**Submitted For:** Leah Rohan, Public Works Department, Engineering Capital Programs

**Add'l Contributors:**

**Project No:** N/A

**Funding/BARS No.:** N/A

**Financial Comments:**

Recommendation is for the following changes:

- Roughly doubling the rate for tractor and heavy equipment tires to better match market rates.
- Reducing the vehicle weighing rate from \$46.30 to \$10.30 (2022 rate).
- Adding new retail and wholesale rates for unscreened compost.
- Establishing a bulk, per ton tire disposal rate for tire loads of 20 or more tires.

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**Information**

**HISTORY:**

This action addresses two customer requests:

1. Adds retail and wholesale rates for unscreened compost; and
2. Lowers the general weighing fee, which is often used by military personnel in-transit to/from Walla Walla.

The third item addresses costs for large tire loads for consistency with other disposal facilities in eastern Washington.

The attached technical memorandum contains the analysis and recommendations to support the proposed rate changes.

The current Landfill rates were adopted by Council on December 20, 2017 (Ord.2017-52). These rates became effective in 2018 and are projected through 2023.

These modifications include:

- Reducing the weighing fee – The new two-scale in/out system has a much higher throughput capacity than the old single in/out scale, which supports lowering the cost.
- New rates for unscreened compost – The landfill does not currently have a rate for unscreened compost, however customers have requested the product. Unscreened compost costs less to produce than screened compost, therefore a lower rate for the unscreened compost is proposed.
- New tonnage rate for large tires and loads of tires (20 or more), with and without rims – Tire disposal is often subsidized by other rates to discourage improper disposal. However, the low cost/lack of a bulk rate has resulted in truckloads of tires being brought to the landfill for disposal from businesses, such as junkyards, rather than through direct contract with a tire recycler.

**POLICY ISSUES:**

The role of policy in setting rates for Landfill includes the following considerations:

- Setting rates based on cost of service; and/or
- Setting rates to encourage or discourage certain behaviors (illegal dumping, etc.).

RCW 70A.205.160 requires seventy-five days' notice to solid waste collection companies of any change in tipping fees and disposal rate schedules.

**PLAN COMPLIANCE:****COMPREHENSIVE PLAN:**

CFU Policy 4.1 Support recycling of municipal and household waste as part of the City's commitment to sustainability.

CFU Policy 5.3 Anticipate and control demand for services to ensure that the City can maintain an appropriate level of service within its financial resources while serving new growth.

**SOLID WASTE MANAGEMENT PLAN:**

1. Manage solid wastes in a cost-effective manner that promotes, in order of priority: waste reduction, reuse, and recycling, with source separation of recyclables as the preferred method.

3. Maintain the solid waste infrastructure and programs to meet or exceed the Minimum Functional Standards for Solid Waste Handling, contained in Chapter 70.95 RCW and the Plan goals and objectives.

- Minimize impact of solid waste handling and disposal on the physical environment of the County.
- Reduce the occurrence and environmental effects associated with illegal dumping

7. Enhance and improve the overall efficiency of waste collection and disposal of solid waste.

- Continue to evaluate tipping fees as related to the true cost of operations including closure and post closure costs associated with the Sudbury Regional Landfill.

**ALTERNATIVES:**

Council may choose not to adopt the proposed rate changes and/or direct staff to make specific modifications.

**CITY MANAGER COMMENTS:**

Approved for City Council workshop discussion.

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**Attachments**

Draft Ordinance

Landfill Rates Technical Memo

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ORDINANCE NO. 2021-

AN ORDINANCE ESTABLISHING VARIOUS LANDFILL RATES, CHARGES, AND PENALTIES FOR THE CITY OF WALLA WALLA

WHEREAS, the City of Walla Walla was established in 1862 by an act of the Legislative Assembly of the Territory of Washington and passed Municipal Ordinance A-2405 on May 13, 1970 which classified the City of Walla Walla as a nonchartered code city under Title 35A of the Revised Code Washington (RCW); and

WHEREAS, RCW 35A.21.150 authorizes the City to provide sanitation services in accordance with ch. 35.67 RCW; and

WHEREAS, RCW 35A.80.010 authorizes the City to provide utility services in accordance with Ch. 35.92 RCW; and

WHEREAS, RCW 35.67.020 authorizes the City to charge for provided sanitation (a/k/a refuse collection and disposal) services; and

WHEREAS, RCW 35.92.020 authorizes the City to charge for providing solid waste handling which includes recycling; and

WHEREAS, the Walla Walla City Council passed City Ordinance 2017-52 establishing landfill rates, charges, and penalties for the period from January 1, 2018 through December 31, 2023; and

WHEREAS, the Walla Walla City Council has determined that rate and charges addressed herein should be modified, and

WHEREAS, the Walla Walla City Council has considered adoption of this ordinance during a regularly and duly called public meeting of said Council, has given careful review and consideration to said ordinance, and finds said ordinance to be in the best interests of the City of Walla Walla,

**NOW THEREFORE, the City Council of the City of Walla Walla do ordain as follows:**

***Section 1:*** The following landfill rates, charges, credits, and penalties are hereby established and collectively referred to herein as rates. The 2022 rates listed below for everything other than tire disposal shall become effective on January 1, 2022 and replace the 2021 rates established by City Ordinance 2017-52 (Dec. 20, 2017). The 2022 rates listed below for tire disposal shall become effective on March 1, 2022 and replace the 2022 rates for tire disposal established by City Ordinance 2017-52 (Dec. 20, 2017). The 2023 rates listed below shall become effective on January 1, 2023 and replace the 2022 rates, and the 2023 rates shall remain in effect until modified or changed by ordinance. (Changes from the rates established by City Ordinance 2017-52 (Dec. 20, 2017) are bolded and italicized below).

Description	2022 rate in dollars	2023 rate in dollars
LANDFILL		
Regular disposal charge for loads less than (<) 300 lbs	14.90	15.40
Regular disposal charge per ton for loads greater than or equal (≥) to 300 lbs	99.20	102.20
Tires – Passenger car, SUV, pick-up truck without rim per each <b>tire</b> (for loads less than (<) 20 tires)	6.80	7.00
Tires – Passenger car, SUV, pick-up truck with rim per each <b>tire</b> (for loads less than (<) 20 tires)	10.20	10.50
<b>Bulk tires – Passenger car, SUV, pick-up truck with or without rim per ton (for loads greater than or equal to (≥) 20 tires)</b>	<b>226.60</b>	<b>233.40</b>
<b>Tires – Tractor and heavy equipment with or without rim per ton</b>	<b>226.60</b>	<b>233.40</b>
Solid Waste Assistance Charge (10 minute increments)	18.90	19.50
Asbestos – per ton	250.00	250.00
Biomedical waste – per pound	0.13	0.13
Biomedical waste surcharge – per ton	250.00	250.00
Inert Waste (Cement, asphalt, concrete, soil, or rock) – per ton	78.00	78.00
Tainted soil – per ton	99.20	102.20



Computer hardware and televisions	46.40	47.80
Fee for appliances with refrigerant or compressors (in addition to solid waste tonnage)	59.40	61.20
Uncovered loads	22.70	23.40
<b>Weighing fee (per vehicle)</b>	<b>10.00</b>	<b>10.60</b>
Opening landfill – hourly (or any portion thereof) (2 hour minimum)	185.40	191.00
Self-Haul Yard waste – per ton	94.10	96.90
Municipal Yard waste – per ton	67.10	69.10
PRODUCT PRICES		
Retail Compost – per cubic yard	28.30	29.20
Wholesale Compost – per cubic yard	17.00	17.60
<b>Unscreened Retail Compost - per cubic yard</b>	<b>22.60</b>	<b>23.30</b>
<b>Unscreened Wholesale Compost - per cubic yard</b>	<b>13.20</b>	<b>14.00</b>
50/50 compost/dirt – per cubic yard	20.60	21.30
Fill dirt – per cubic yard	13.00	13.40

**Section 2:** This ordinance is referred to in the Walla Walla Municipal Code as the City's landfill rate ordinance.

**Section 3:** The rates and charges herein established are not exclusive and shall apply in addition to any other rates and charges which may apply.

**Section 4:** The City Clerk is authorized and directed to publish a summary hereof in accordance with Revised Code of Washington §§ 35A.13.200 and 35A.12.160 and give notice as required by Revised Code of Washington § 70.95.212.

**Section 5:** If any part of this ordinance is for any reason declared or held to be invalid or unconstitutional by any court of competent jurisdiction, such part shall be deemed a separate and distinct and independent provision and such holding shall not affect the validity of the remaining parts hereof.

**PASSED** by a majority of the whole membership of the City Council of the City of Walla Walla, Washington, on December 15, 2021.

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Mayor

Attest:

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City Clerk

Approved as to form:

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City Attorney

## SUMMARY OF ORDINANCE NO. 2021-

### AN ORDINANCE ESTABLISHING VARIOUS LANDFILL RATES, CHARGES, AND PENALTIES FOR THE CITY OF WALLA WALLA

The Walla Walla City Council an ordinance at its December 15, 2021 regular meeting which amends the city's landfill rates. Notice is hereby given that the ordinance increases rates as follows:

The 2022 rates listed below for everything other than tire disposal shall become effective on January 1, 2022 and replace the 2021 rates established by City Ordinance 2017-52 (Dec. 20, 2017). The 2022 rates listed below for tire disposal shall become effective on March 1, 2022 and replace the 2022 rates for tire disposal established by City Ordinance 2017-52 (Dec. 20, 2017). The 2023 rates listed below shall become effective on January 1, 2023 and replace the 2022 rates, and the 2023 rates shall remain in effect until modified or changed by ordinance.

Description	2022 rate in dollars	2023 rate in dollars
LANDFILL		
Regular disposal charge for loads less than (<) 300 lbs	14.90	15.40
Regular disposal charge per ton for loads greater than or equal (≥) to 300 lbs	99.20	102.20
Tires – Passenger car, SUV, pick-up truck without rim per each tire (for loads less than (<) 20 tires)	6.80	7.00
Tires – Passenger car, SUV, pick-up truck with rim per each tire (for loads less than (<) 20 tires)	10.20	10.50
Bulk tires – Passenger car, SUV, pick-up truck with or without rim per ton (for loads greater than or equal to (≥) 20 tires)	226.60	233.40

Tires – Tractor and heavy equipment with or without rim per ton	226.60	233.40
Solid Waste Assistance Charge (10 minute increments)	18.90	19.50
Asbestos – per ton	250.00	250.00
Biomedical waste – per pound	0.13	0.13
Biomedical waste surcharge – per ton	250.00	250.00
Inert Waste (Cement, asphalt, concrete, soil, or rock) – per ton	78.00	78.00
Tainted soil – per ton	99.20	102.20
Computer hardware and televisions	46.40	47.80
Fee for appliances with refrigerant or compressors (in addition to solid waste tonnage)	59.40	61.20
Uncovered loads	22.70	23.40
Weighing fee (per vehicle)	10.00	10.60
Opening landfill – hourly (or any portion thereof) (2 hour minimum)	185.40	191.00
Self-Haul Yard waste – per ton	94.10	96.90
Municipal Yard waste – per ton	67.10	69.10
PRODUCT PRICES		
Retail Compost – per cubic yard	28.30	29.20
Wholesale Compost – per cubic yard	17.00	17.60
Unscreened Retail Compost - per cubic yard	22.60	23.30

Unscreened Wholesale Compost - per cubic yard	13.20	14.00
Wholesale Compost – per cubic yard	13.20	14.00
50/50 compost/dirt – per cubic yard	20.60	21.30
Fill dirt – per cubic yard	13.00	13.40

The full text of the ordinance will be mailed upon request made to the Walla Walla City Clerk at Walla Walla City Hall, 15 N. Third Ave., Walla Walla, WA 99362.

Summary approved as to form

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City Attorney



## CITY OF WALLA WALLA

## 2021 LANDFILL RATE UPDATE DRAFT

## Introduction

The City of Walla Walla (City) requested assistance from FCS GROUP to evaluate several rate adjustments to services provided at the Sudbury Road Landfill (landfill) including: a new rate for unscreened compost and updated rates for loads of tires (20 or more) and vehicle weighing at the scalehouse. FCS GROUP worked with staff from the Landfill Division (Division) to gather and analyze financial and operational data as well as to review results and recommendations.

## Summary

Based on a review of the cost to provide these services and discussions with staff from the Landfill Division, the following adjustments are recommended:

- Assessing new rates for unscreened wholesale and retail compost of \$13.20 and \$22.00 per cubic yard respectively. The recommended rate is based on a 20 percent discount from the existing rates for screened wholesale and retail compost.
- Assessing a new \$10.00 vehicle weighing rate. This rate would replace the existing practice of assessing the weighing fee of \$45.00 to customers that use the scale at the landfill to weigh their vehicles.
- Establishing a bulk tire disposal fee of \$220.00 per ton for customers that bring trailers of tires to the landfill. The recommended rate would offset the City's contract expenses for tire processing and disposal and maintain the City's existing practice of subsidizing tire disposal services at the landfill.

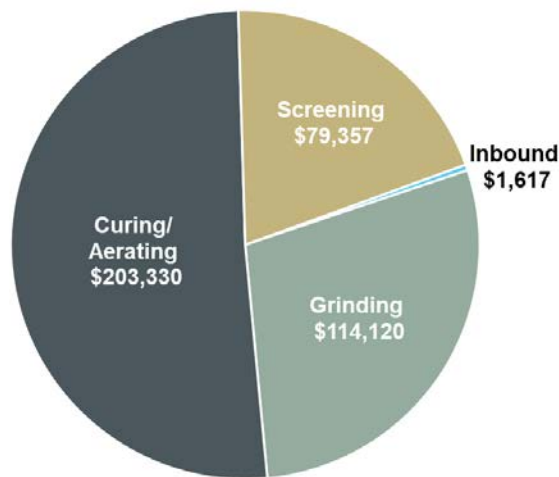
## Update #1: Unscreened Compost Rate

Historically the City has only offered wholesale and retail compost to landfill customers. The compost material goes through a screening process to produce a consistent material size of 3/8" to 3/4". There has been recent interest from customers to purchase unscreened compost. To determine a cost-based rate for this new product, FCS GROUP evaluated actual staff work time records from 2020 and costs for compost operations in 2021.

FCS GROUP estimates that screening activities comprise 20 percent of the cost of service for composting operations. Grinding the feedstock material (e.g., yard waste) accounts for 29 percent of the costs, curing-related activities account for 50 percent of costs, and inbound yard waste inspection/enforcement activities comprise less than one percent of costs. **Exhibit 1** illustrates the estimated cost of service in 2021 of the composting activities.

The existing wholesale (\$16.50 per cubic yard) and retail (\$27.40 per cubic yard) compost rates were used as the basis for developing a cost-based rate for unscreened compost. The existing rates were discounted by 20 percent to account for the cost of screening activities. FCS GROUP recommends initial rates of \$13.20 and \$22.00 per cubic yard for unscreened wholesale and retail compost respectively.

**Exhibit 1**  
**2021 Composting Cost of Service by Activity**



## Update #2: Vehicle Weighing Fee

The City utilizes inbound and outbound scales at the landfill entrance to weigh waste and assess disposal charges to residents and businesses that deliver waste directly to the landfill. The Division also allows residents to use the scales at the landfill to weigh vehicles. This weighing service is often used by members of the military to weigh moving trucks in order to receive reimbursement for moving costs. Currently, customers that use this service are assessed the standard weighing fee of \$45.00. These customers make two trips to the landfill, once with an empty moving truck and once with a full moving truck, so they are assessed two weighing fees or a total of \$90.00. The Division is exploring a new vehicle weighing fee for these customers because, unlike most landfill customers, they are not delivering waste to the landfill and are only using the scale service at the landfill.

It should be noted that the existing minimum fee of \$14.50 per load does not reflect the full cost of service for self-haulers. Similar to other landfill utilities, the City intentionally subsidizes self-hauler rates.

FCS GROUP evaluated the estimated cost of landfill operations in 2021 to determine a reasonable allocation of costs for operating the scalehouse. The estimated cost of landfill operations in 2021 is \$1.66 million and includes scalehouse operations, Division administration, Citywide overhead, and taxes. In coordination with Division staff, FCS GROUP analyzed employee work time hours and financial accounting codes to develop five cost pools for landfill operations: Scalehouse Labor, All Other Labor, Contracts and Service Charges, All Other Non-Labor, and Taxes. Tax expenses were re-allocated to the other four cost pools. **Exhibit 2** details the estimated cost of service for each cost pool in 2021. The cost of service was divided by estimated landfill tickets in 2021 to derive an average cost per ticket.

The average estimated cost of landfill operations in 2021 is \$44.17 per ticket of which \$5.87 or 13 percent is attributed to scalehouse labor costs. All other labor (e.g., road maintenance, general landfill operations, and dust control) are equivalent to \$2.09 per ticket or 5 percent of costs.

Engineering and other professional service contract expenses are \$12.18 per ticket or 28 percent of costs. All other non-labor which includes utilities and Department/Citywide administrative charges are \$24.03 per ticket or 54 percent of costs.

FCS GROUP used the cost analysis, the City's existing self-haul landfill fee, and recent upgrades to the inbound/outbound scale weighing system as guidance for a recommended weighing fee. Similar to other landfill utilities, the City intentionally subsidizes small loads at the landfill. To be consistent with the existing rate structure for small loads, the recommended vehicle weighing fee is based on a similar and proportional subsidy. Recent upgrades at the scalehouse have also improved the processing time of transactions which is expected to be reflected in the next solid waste cost of service rate study. Following discussions with the Division, FCS GROUP recommends an initial fee of \$10.00 for each time a vehicle is weighed at the landfill scales.

## Exhibit 2 2021 Landfill Operations Cost of Service

Cost of Service Analysis (2021 Estimate)	Landfill Operations	Scalehouse Labor	All Other Labor	Contracts & Service Charges	All Other Non- Labor
2021 Cost of Service	\$ 1,662,400	\$ 220,965	\$ 78,574	\$ 458,348	\$ 904,513
Divided by: 2021 Landfill Tickets	37,640	37,640	37,640	37,640	37,640
<b>2021 Equivalent Cost per Ticket</b>	<b>\$ 44.17</b>	<b>\$ 5.87</b>	<b>\$ 2.09</b>	<b>\$ 12.18</b>	<b>\$ 24.03</b>

## Update #3: Heavy Equipment Tires and Bulk Tire Loads

On occasion a landfill customer will deliver a trailer of tires to the landfill. The City currently does not have a rate for trailer loads of tires. Instead, the City has relied on its existing rate structure to assess disposal fees for these loads.<sup>1</sup> The existing rate structure does not recover the full cost of service for tire processing and disposal, so the fees collected for trailer loads of tires significantly under-recover the actual cost of service.

FCS GROUP evaluated historical tire loads received by the landfill as well as the Division's tire disposal contract and other related expenses to estimate a cost-based fee for tires. The 2021 cost of service for tire disposal is estimated at \$11,200 or \$428 per ton. The tire disposal contract comprises almost half of the cost of service (\$204 per ton).

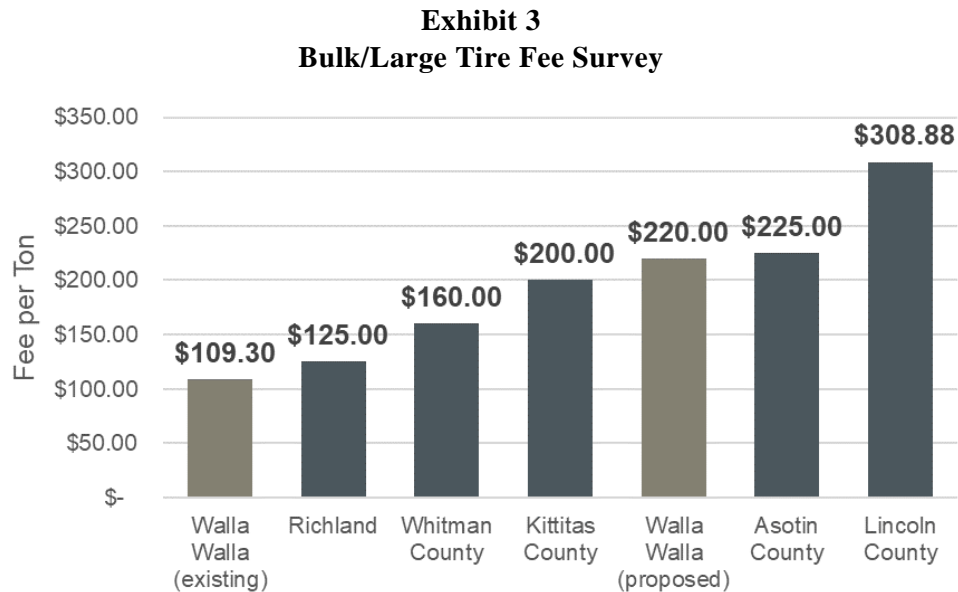
The Division is proposing two adjustments to tire fees. First, the existing fee for tractor and heavy equipment tires would be increased from \$109.30 per ton to \$220.00 per ton. The second adjustment would establish a new fee for trailer loads of tires and set the new fee to be consistent with the proposed tractor and equipment tire rate (\$220.00 per ton). The proposed rates would recover all the

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<sup>1</sup> \$109.30 per ton for tractor and heavy equipment tires, \$6.60 per rimless passenger tire, and \$9.90 per passenger tire with rim.

Division's contract expenses for tire disposal and maintain the City's current practice of subsidizing tire fees.

**Exhibit 3** details a comparative fee survey for heavy equipment and bulk tire loads from neighboring jurisdictions. The City's existing fee is among the lowest in the survey. The proposed fee adjustment of \$220.00 per ton would be comparable with several jurisdictions in the area.



The following table details the City's projected landfill rates as well as the changes to the unscreened compost, heavy equipment tire, and vehicle weighing rates. The revised rates include a 3.00 percent annual adjustment in 2022 and 2023 to be consistent with the Division's planned increases for all other landfill rates.

**Summary of 2021 – 2023 Landfill Rate Table**

Description	2020 rate in dollars	2021 rate in dollars	2022 rate in dollars	2023 rate in dollars
<b>LANDFILL</b>				
Regular disposal charge for loads less than (<)300 lbs	14.20	14.50	14.90	15.40
Regular disposal charge per ton for loads greater than or equal (≥) to 300 lbs	94.10	96.30	99.20	102.20
Tires – Passenger car, SUV, pick-up truck without rim per each <i>for loads less than (&lt;) 20 tires</i>	6.40	6.60	6.80	7.00
<i>Tires – Passenger car, SUV, pick-up truck with rim per each for loads less than (&lt;) 20 tires</i>	<i>9.60</i>	<i>9.90</i>	<i>10.20</i>	<i>10.50</i>
<i>Tires – Passenger car, SUV, pick-up truck with or without rim per ton for loads greater than or equal to (≥)20 tires</i>			<i>226.60</i>	<i>233.40</i>
Tires – Tractor and heavy equipment <i>with or</i> without rim per ton	106.10	109.30	<del>112.60</del> <i>226.60</i>	<del>116.00</del> <i>233.40</i>
<del>Tires – Passenger car, SUV, pick-up</del>	<del>9.60</del>	<del>9.90</del>	<del>10.20</del>	<del>10.50</del>

~~truck with rim per  
each~~

~~Tires — Tractor and  
heavy equipment  
with rim per ton~~      ~~106.10~~      ~~109.30~~      ~~112.60~~      ~~116.00~~

Solid Waste Assistance Charge  
(10 minute increments)      17.80      18.30      18.90      19.50

Asbestos – per ton      275.00      250.00      250.00      250.00

Biomedical waste –  
per pound      0.14      0.13      0.13      0.13

Biomedical waste  
surcharge – per ton      275.00      250.00      250.00      250.00

Inert Waste  
(Cement, asphalt,  
concrete, soil, or  
rock) – per ton      68.00      78.00      78.00      78.00

Tainted soil – per  
ton      94.10      96.30      99.20      102.20

Computer hardware  
and televisions      40.00      45.00      46.40      47.80

Fee for appliances  
with refrigerant or  
compressors (in  
addition to solid  
waste tonnage)      57.60      57.60      59.40      61.20

Uncovered loads      21.30      22.00      22.70      23.40

Weighing fee (per  
vehicle)      43.60      45.00      ~~46.40~~  
~~10.30~~      ~~47.80~~  
~~10.60~~

Opening landfill –  
hourly (or any  
portion thereof) (2  
hour minimum)      174.70      180.00      185.40      191.00

Self-Haul Yard  
waste – per ton      83.00      91.30      94.10      96.90

Municipal Yard waste – per ton	63.30	65.20	67.10	69.10
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PRODUCT PRICES

Retail Compost – per cubic yard	26.60	27.40	28.30	29.20
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<i>Unscreened Retail Compost – per cubic yard</i>			<i>22.60</i>	<i>23.30</i>
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Wholesale Compost – per cubic yard	16.00	16.50	17.00	17.60
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<i>Unscreened Wholesale Compost – per cubic yard</i>			<i>13.60</i>	<i>14.00</i>
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50/50 compost/dirt – per cubic yard	19.40	20.00	20.60	21.30
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Fill dirt – per cubic yard	12.20	12.60	13.00	13.40
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ar-4468

30 Mins.

**City Council - Work Session**

**Meeting Date:** 12/13/2021

**Item Title:** Review proposed amendments to the Walla Walla Municipal Code Titles 19 and 20.

**Submitted For:** Lisa Wasson-Seilo, Development Services Department

**Add'l Contributors:**

**Project No:** ZCA-21-0002

**Funding/BARS No.:**

**Financial Comments:**

N/A

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**Information**

**HISTORY:**

Walla Walla Municipal Code (WWMC) Text Amendments to Titles 19 and 20, implement the Walla Walla Comprehensive Plan 2040 and certain recommendations from the recently adopted (Ord 2021-23) Walla Walla Regional Housing Action Plan, corrects scrivener's errors, and add clarifications. The proposed code amendments would apply City-wide. Amendments to the following Municipal Code Chapters/Sections include:

Chapter 19.30	Subdivision Design
Chapter 19.32	Public Facility Requirements
Chapter 19.40	Required Information
Chapter 20.02	Annexations
Chapter 20.06	Construction and Definitions
Chapter 20.30	Level VI Review
Chapter 20.34	Development Agreements
Chapter 20.48	Amendments
Chapter 20.50	Land Use Zones
Chapter 20.100	Tables of Permitted Land Uses
Chapter 20.118	Residential Accessory Use Standards
Chapter 20.134	Environmental Performance
Chapter 20.172	Wineries, Breweries, and Distilleries
Chapter 20.212	Nonconforming Situations

February 2021 - Internal staff discussions of the code amendments planned for 2021

June 23, 2021 - City Council passed Ordinance 2021- 19, in interim ordinance adopting amendments to the chapter 20.172 related to distilleries

September 13, 2021 - WW Planning Commission reviewed preliminary planned amendments and provided feedback

October 13, 2021 - 60 Day Notice of Intent to adopt was submitted to the Washington State Department of Commerce

October 13, 2021 - SEPA Determination of Non-Significance issued, posted on City website and circulated to SEPA contact list  
(Revised SEPA Determination of Non-Significance for publication in the WW Union Bulletin, November 15, 2021)  
October 14, 2021 - Department of Commerce acknowledgement letter received  
October 14, 2021 - Notice of Application/ Public Hearing was posted to the City website  
October 17, 2021 - Notice of Application/ Public Hearing was published in the WW Union Bulletin  
October 29, 2021 - Comment period deadline - no comments received  
November 1, 2021 - WW Planning Commission public hearing

## **POLICY ISSUES:**

Ensure that the Municipal Code is easy to use for the public and staff, that it is in compliance with state laws and regulations, and that it continues to meet the needs of stakeholders and residents without creating confusion or redundancy.

## **PLAN COMPLIANCE:**

### **STRATEGIC PLAN:**

- 1.2 Continue process improvement skill development and identify opportunities for efficiency and effectiveness
- 4.1 Attract and support small businesses.

### **COMPREHENSIVE PLAN:**

**Community Character Policy 1.1** – Use the land use code and design guidelines to ensure that new development reinforces and is guided by the character of existing land use patterns and the architectural attributes of the applicable character areas.

**Community Character Policy 4.1** - Carefully protect and enhance Downtown’s visual character, the most important single aspect of the city’s identity, through historic preservation activities, complementary infill development, and sensitively designed public works.

**Land Use Policy 1.4** – Review new development proposals to ensure they support the objectives of the Comprehensive Plan such as land use, transportation, community character, historic preservation, and sustainability.

**Land Use Policy 4.4** - Ensure that new subdivisions and housing development retains natural qualities including topography, natural features, and native vegetation to minimize impacts to the surrounding ecosystem. Retaining or restoring riparian woody vegetation should be a priority.

**Housing Goal 1** - A broad range of housing choices is available to meet the needs of people of diverse socioeconomic status, household type, and age.

**Housing Policy 1.1** - Provide an array of housing choices such as apartments, small lot single-family housing, accessory dwelling units, townhomes, manufactured homes, and cottages to meet the needs of people of all incomes throughout their lifespan.

**Economic Development Goal 4** - Walla Walla has a supportive environment for entrepreneurial opportunities and startup businesses.

**Economic Development Policy 5.1** – Regularly review development regulations, evaluate the impact of regulations, and the needs of local businesses.

**Environment and Natural Resources Policy 1.6** - Preserve and protect healthy mature trees in the community to

the greatest extent possible, and promptly plant replacements when they cannot be saved.

**Transportation Policy 1.3** - Provide facilities for all modes of transportation.

**ALTERNATIVES:**

Suggest modifications to the proposed amendments.

**CITY MANAGER COMMENTS:**

Approved for City Council workshop discussion.

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**Attachments**

Code Updates - Final Draft

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## 2021 code updates - DRAFT

(Added terms are in ***bold/ italicized***. Removed terms are ~~stricken~~ – all changes are in red font)

### Chapter 19.30 SUBDIVISION DESIGN

#### 19.30.060 Private Lane standards and restrictions.

A. Private Lanes. Private lanes ~~shall not be permitted in any development of more than nine lots, shall not connect two public streets, and are limited to providing access to nine dwelling units or less~~ *will only be allowed where, in the City's sole discretion, there is no public interest in traffic circulation and at least one of the following conditions exist:*

- 1. Existing abutting development precludes the construction of a public street, or*
- 2. Topographic, geological or soil conditions make development of a public street undesirable, or*
- 3. Traffic circulation and lot access can be met more logically by private lane than by public streets.*

B. Private Lanes – Permitted. The following minimum standards apply to private lanes not prohibited under subsection A of this section:

*1. With exception of multi-family developments, binding site plans, manufactured home parks, and planned unit developments, private lanes shall not be permitted in any development of more than nine lots and are limited to providing access to nine dwelling units or less.*

*21.* The ***easement*** width of a private lane shall be at least twenty-five feet.

*32.* The length of a private lane shall not exceed six hundred feet ***from the intersection of the public street.***

An improved turnaround shall be provided at the end of a private lane exceeding one hundred fifty feet in length.

*4. Private lanes which provide access to five or more lots/dwelling units shall:*

*a. Provide a sidewalk per city standard plans, adjacent to the entire length of the lane.*

*b. Provide pedestrian connectivity or access way to each parcel.*

*5. Private lanes shall not connect two public streets unless:*

*a. There are unique physical limitations associated with the property that, warrant connection due to existing development, topography, and/or other natural conditions such as wetlands or stream corridors.*

*b. The City determines that future traffic circulation would not be negatively impacted due to the provision of a private lane.*

**63.** Private lanes shall be paved with materials as defined in Section 12.01.050, shall have a **minimum** pavement width of twenty feet and constructed in accordance with city standard plans.

**74.** Stormwater facilities shall be provided as required by Chapter 13.16.

**85.** Private lanes shall be named in accordance with Section 19.30.030(J).

**96.** ~~A Utility easements shall be dedicated to the city for the total width of the lane, unless easements are provided in other locations for residences being served in accordance with Section 19.30.080, but not less than the entire width of the private lane.~~

**107.** A recorded binding covenant shall be prepared providing for maintenance of the private lane, sidewalk, stormwater facilities, curb, and gutter.

**118.** An approved driveway approach from the **public** street to the **private** lane shall be provided.

~~9. Private lanes which provide access to five or more lots/dwelling units shall:~~

~~a. Provide a sidewalk per city standard plans, adjacent to the entire length of the lane.~~

~~b. Provide pedestrian connectivity or access way to each parcel.~~

## Chapter 19.32 PUBLIC FACILITY REQUIREMENTS

### 19.32.020 Street improvements.

A. Streets. All public streets shall be constructed with paving, curbs and gutters, storm drainage system, sidewalks, street lighting and street trees. Private street (lane) improvement requirements are provided in Section 19.30.060.

B. Alleys. Alleys shall be improved to private lane standards described in Section 19.30.060.

C. Sidewalks and Driveways. Sidewalks shall be included in the street improvement plans and shall be installed on both sides of the street after completion of the curb and

gutter improvements. Except as provided in Section 19.18.010(D), sidewalks and driveways shall be constructed when homes are constructed on the lots and shall be completed prior to final inspection and occupancy.

D. Street Lighting System. Streetlights shall be installed at all intersections (street corners), all cul-de-sac turnarounds and all substantial curves of streets (ten degrees or more), and at mid-block locations in order to provide streetlight spacing two hundred fifty to three hundred feet. Street lighting systems shall be approved by the city engineer and shall be in accordance with the city standard plans. The developer shall make the necessary arrangements with the serving electric utility for installation of underground service for the street lighting system. *Alternative streetlight assemblies (street lighting that does not comply with the city standard plans) that were previously installed in developments with approval of the city, shall remain owned and maintained by the developer or their successors. The city will be responsible for the cost of electric power for these alternative streetlight assemblies in an amount equivalent to a city standard lighting system.*

E. Street Trees. Street trees shall be installed in accordance with the arboricultural standards and specifications adopted by the urban forestry advisory commission and administered by the municipal arborist. Street trees shall be installed according to an approved street tree planting plan. *Street tree planting plans shall adhere to the principles of urban forest biodiversity following the 10-20-30 rule. This means that no tree species should represent more than 10%, no tree genus should represent more than 20%, and no tree family should represent more than 30% of the total tree population of the proposed subdivision street improvements.* Except as provided in Section 19.18.010(D), street trees shall be planted at the time new homes are constructed and prior to final inspection and occupancy. The developer shall be responsible for the continued health and vigor of street trees abutting undeveloped lots until such lots are sold.

F. Safety Improvements. Where a need to improve safety is demonstrated by a traffic impact analysis or identified as a need in an adopted transportation plan, the city may require the installation of safety features such as pedestrian crossings with or without median refuge islands, flashing beacons or other signage or signals, traffic circles, curb extensions, reduced street width, speed tables, speed humps, or special paving to slow traffic and improve transportation safety for all modes.

## Chapter 19.40 REQUIRED INFORMATION

19.40.020 Information to be shown on plat map.

A. All items in this section shall be shown on the map or plat of a development for both preliminary and final submittals.

1. Scale. All pertinent information shall be shown normally at a scale of one inch to one hundred feet; however, the scale may be increased or decreased to fit standard size sheets of eighteen inches by twenty-four inches. In all cases, the scale shall be a standard drafting scale, being ten, twenty, thirty, forty, fifty or sixty feet to the inch or multiples of ten for any one of these scales.

2. Appropriate identification of the drawing as a short plat, subdivision, preliminary, final, binding site plan and the name of the development. The name shall not duplicate or resemble the name of any other subdivision or short plat in the county unless the subject subdivision is contiguous to an existing subdivision under the same subdivision of the same last name filed.

3. The names and addresses of the owner(s) and surveyor or engineer.

4. The date, north point, and scale of the drawing.

5. A full legal description and location of the entire proposed development property.

6. The locations, widths and names of both improved and unimproved streets and alleys within or adjacent to the proposed development together with all existing easements and other important features such as section lines, section corners, city boundary lines and monuments.

7. The name and location of adjacent subdivisions and the location and layout of existing streets which are adjacent to or across contiguous right-of-way from the proposed development.

8. The location, approximate dimensions, and areas of lots, proposed lot and block numbers.

9. The lot area in square feet identified on each lot on the plat.

10. The location, approximate acreage, and dimensions of areas proposed for public use.

11. The location, approximate acreage, and dimensions of areas proposed for “open space” and/or common ownership.

12. The acreage of the development, acreage of rights-of-way or other dedications, and acreage of critical areas and buffers, *and well locations within 100 feet of project area.*

13. Maximum residential density to be completed in the development.

14. Buildable area envelope for each lot (for residential developments).

15. Proposed housing type/form for each lot (for residential developments).
16. Existing contour lines at two-foot intervals based on NAVD '88 Vertical Datum.
17. The approximate curve radii of any existing public street or road within the proposed development. The approximate location, width, names, and curve radii for all proposed streets.
18. Existing uses of the property and locations of all existing buildings and designating which existing buildings are to remain after completion of the proposed development.
19. The location of areas subject to inundation, overflows from stormwater facilities, and/or within a designated one-hundred-year floodplain, all areas covered by water, and the location, width and direction of flow of all water courses.
20. Locations of existing natural features such as rock outcroppings, which would affect the design of the development.
21. A vicinity map showing the location of the proposed development in relation to the rest of the city.
22. The locations and dimensions of proposed lots and the proposed lot and block numbers. Numbers shall be used to designate each block and lot. Where a plat is an addition to a plat previously recorded, numbers of blocks and lots or parcels shall be in consecutive continuation from a previous plat.
23. Locations and widths of streets and roads to be held for private use and all reservations or restrictions relating to such private roads.
24. Designation of any land the council may require held for public reserve and configuration of projected lots, blocks, streets and utility easements should the reserved land not be acquired.
25. All areas and the proposed uses thereof to be dedicated by the owner.
26. Tract, block and lot boundary lines with dimensions.
27. Street rights-of-way widths with centerline.
28. Radius, length, and central angle of all tangent curves; radius, length, centered angle, long chord distance and bearing of all nontangent curves.



29. Ties to boundary lines and section or 1/4 section corners immediately surrounding the development.

30. The location and type of all permanent monuments within the development including initial point, boundary monuments and lot corners.

31. One of the following forms of horizontal control to supplement the plat's inclusion in the city/county GIS:

a. State plane coordinates on the NAD83/91 Datum for each lot corner and controlling monument (or a minimum of two adjacent controlling monuments) as established by survey with reference to Federal Geodetic Control Committee Guidelines for Third Order Class II Surveys; or

b. A tie showing the bearing or angles and distances to one of the city's control grid monuments. If there is a second control monument that is intervisible to the primary control monument, the bearing or angle between the two control monuments shall be shown. (Basis of bearings should be record bearing between control monuments.)

32. Reference points of existing surveys identified, related to the plat by distance and bearings, and referenced to a field book or map as follows:

a. Stakes, monuments, or other evidence found on the ground and used to determine the boundaries of the development;

b. Adjoining corners of adjoining subdivisions;

c. Monuments to be established marking all street intersections and the centerlines of all streets at every point of curvature and the point of tangent;

d. Other monuments found or established in making the survey required to be installed by provisions of this title and state law.

33. Designation of proposed portions of subdivisions to be developed in phases, if any, indicating proposed sequence of platting.

34. All flood control features and references to easements or deeds for drainage land.

35. Existing and proposed easements clearly identified and denoted by dashed lines and, if already of record, their recorded reference. The width of the easement, its length and bearing, and sufficient ties to locate the easement with respect to the development shall be shown.

36. Identification of any land or improvements to be dedicated or donated for any public purpose or private use in common.

37. The following certificates:

a. A certificate signed and acknowledged by all parties having any record title interest in the land, consenting to the preparation and recording of the plat;

b. A certificate signed and acknowledged as above, dedicating to the public all land intended for public use;

c. A certificate for execution by the director;

d. A certificate for execution by the city engineer;

e. A certificate of execution by the county auditor;

f. A certificate for execution by the county treasurer;

g. A surveyor's certificate certifying that he is registered as a professional land surveyor in the state of Washington and certifies that the plat is based on an actual survey of the land described and that all monuments have been set and lot corners staked on the ground as shown on the plat.

38. Such additional information pertaining to the subdivision, short plat or development site and the immediate vicinity as may be required by the director for the review of the proposal.

19.40.030 Information to be submitted as supplementary written documents or drawings.

Material in this section does not need to be shown on the plat map.

A. The following supplemental written or drawn information required in this section shall be submitted at the preliminary application stage:

1. The land use zone applicable to the subject property.

2. The locations and sizes of existing public and private sanitary sewers, water mains, and stormwater facilities, culverts, fire hydrants and other utilities within and adjacent to the proposed development.

3. A preliminary public facilities plan for the location and construction of proposed water service facilities and proposed sanitary sewer facilities to serve the development.

4. A stormwater report for medium and large projects (see Section 13.16.030) which includes a site plan, erosion and sediment control plan, and other information as required by the City of Walla Walla Stormwater Design Standard Handbook.

5. Deed restrictions or covenants, if any, in outline form.

6. Such additional information pertaining to the subdivision, short plat or development site and the immediate vicinity as may be required by the director for the review of the proposal.

7. Appropriate architectural and site development plans which shall show the proposed building location, specific landscaping; prominent existing trees, ground treatment, sight-obscuring fences and hedges, off-street parking, vehicular and pedestrian circulation; major exterior elevations of building (binding site plans only).

***8. Tree planting plans (see Sections 12.49.110 and 19.32.020(E)).***

B. The following supplemental written or drawn information required in this section shall be a condition of final development approval before the recording of plat documents:

1. Plat certificate verifying ownership and encumbrances.

2. An executed surety (developer agreement and bond) when required.

#### 20.02.080 Annexations.

A. Property may be annexed to the city as authorized by Chapter 35A.14 RCW, as amended. Annexation is a Level VI process, initiated as provided in Chapter 35A.14 RCW. Annexation proposals shall be initiated through forms approved by the department.

B. The city will accept annexation petitions ~~twice~~**once** per year. ~~The~~**One** annexation petition submittal time will open January 1st and close January 31st ~~and a second annexation petition submittal time will open September 1st and close September 30th~~ of each calendar year.

C. Annexations are exempt from State Environmental Policy Act (SEPA) review pursuant to RCW 43.21C.222, as amended.

D. Annexation of property shall be consistent with the land use and annexation policies of the Comprehensive Plan's Land Use Element. As soon as practicable upon initiation of annexation proceedings, the department shall determine whether or not the proposed annexation area has been prezoned, and whether or not such prezone designation(s) are consistent with and implement the Comprehensive Plan.

E. Notice of Initiation. The department shall give at least thirty days' advance notice of city council meetings which will consider resolutions calling for election under RCW 35A.14.015, meetings with initiating parties under RCW 35A.14.120 or 35A.14.420, resolutions for initiation of island annexations under RCW 35A.14.295, or resolutions to commence negotiations under RCW 35A.14.460, as those statutes may be amended. The notice shall identify the area proposed for annexation and provide the date and time of the meeting.

1. Initiator Notice. The department shall deliver or mail notice of application to the initiator(s), if any, or the person or entity designated by the applicant to receive notice.

2. Public Notice.

a. The department shall deliver or mail notice to parties that have filed a special notification request in accordance with Section 20.14.015.

b. The department shall deliver or mail notice to the record owner(s) of property, as shown by the records of the Walla Walla County assessor's office, which is included in the area to be annexed or adjacent to the area to be annexed.

3. Agency Notice. The department shall mail notice to the Walla Walla County commission, any fire protection district serving the area to be annexed, any water district serving the area to be annexed, and any holder of any franchise or permit for operation of a public service business which will be cancelled pursuant to RCW 35A.14.900.

F. Notice of Hearing. The city council shall by resolution set public hearing(s) to the extent required by RCW 35A.14.130, 35A.14.295(2), 35A.14.430, and 35A.14.460(3), as those statutes may be amended, and notice of hearing shall be given as required by the applicable statute. Such notice shall include the proposed zoning for the property.

G. Property within the urban growth area which has been prezoned by a proposed zoning regulation pursuant to RCW 35A.14.330 and 35A.14.340, as those statutes may be amended, will automatically be zoned in conformance with the land use designation prescribed for that property by the city council through the prezone process unless the proposed zoning designation is changed as provided herein.

H. Where property is prezoned, and the prezone designation is inconsistent with the Comprehensive Plan, the council, upon consideration of the annexation proposal, may determine zoning requirements as follows:

1. The prezone designation for the property may be changed concurrently with annexation by a proposed zoning regulation pursuant to RCW 35A.14.330 and 35A.14.340, as those statutes may be amended; or

2. The prezone designation will be applied and the zoning designation for the property may be amended through the rezone process after annexation.

I. Where property has not been prezoned, the council upon consideration of the annexation proposal may determine the zoning requirements as follows:

1. The city may adopt a zoning designation for the property pursuant to RCW 35A.63.100 which is consistent with and implements the Comprehensive Plan; or

2. The property shall be deemed to be included in the zoning map as follows:

a. Property zoned by the county as Agriculture Industrial Heavy or Heavy Industrial shall be deemed to be zoned by the city as Heavy Industrial (IH);

b. Property zoned by the county as Agriculture Industrial Light, Light Industrial, or Industrial/Business Park shall be deemed to be zoned by the city as Light Industrial/Commercial (IL/C);

c. Property zoned by the county as Airport Development District shall be deemed to be zoned by the city as Airport Development (AD);

d. Property zoned by the county as Public Reserve shall be deemed to be zoned by the city as Public Reserve (PR);

e. Property zoned by the county as Urban Planned Community shall be deemed to be zoned by the city as Urban Planned Community (UPC);

f. Property zoned by the county as Primary Agriculture, Exclusive Agriculture, General Agriculture, Agricultural Residential, Rural Remote, Rural Agriculture, Rural Flowing, Rural Residential, or Rural Transition shall be deemed to be zoned by the city as Neighborhood Residential; and

g. Property given a zoning designation by the county other than those identified in this subsection shall be deemed to be zoned by the city as Neighborhood Residential.

The deemed zoning designation may be amended through the rezone process after annexation, and the department is directed to process such amendment(s) that may be necessary to make the zoning designation(s) for annexed property consistent with the Comprehensive Plan as soon as practicable following the effective date of the annexation.

#### 20.06.030.A A definitions

“Access” means the right to cross between public and private property allowing pedestrians and vehicles to enter and leave property.



“Accessory dwelling unit” means a habitable living unit that provides the basic requirements of shelter, heating, cooking and sanitation and meets the standards provided in this code.

“Accessory structures (residential) – not for use as a dwelling unit” means an accessory building or structure as defined in this code not used for residential occupancy.

“Adjacent” shall be that having a common boundary or that which would have a common boundary but for the intervention of a public street or alley.

***"Affordable housing" shall have the same meaning as defined in RCW 36.70A.030.***

“Agricultural building” means a structure designed and constructed to store farm implements or hay, grain, poultry, livestock, fruit and other agricultural products. The structure shall not be used for human habitation; processing, treating or packaging agricultural products, nor shall it be a place used by the public.

“Agricultural related industry” means specifically:

1. “Packaging plants” may include but are not limited to the following activities: washing, sorting, crating and other functional operations such as drying, field crushing, or other preparation in which the chemical and physical composition of the agricultural product remains essentially unaltered. Does not include processing activities, or slaughterhouses, animal reduction yards, and tallow works.
2. “Processing plants” may include but are not limited to those activities which involve the fermentation or other substantial chemical and physical alteration of the agricultural product. Does not include slaughterhouses or rendering plants.
3. “Storage facilities” may include those activities which involve the warehousing of processed and/or packaged agricultural products.

“Agricultural stand” means a structure up to two hundred square feet in area used for the retail sale of agricultural products, excluding livestock, grown on the premises in residential zoned areas; also, in commercial zoned areas subject to the standards of the applicable zone. Agricultural stands are allowed in the front yard setback.

“Agriculture” means the tilling of soil, raising of crops and horticulture.

“Alley” means a service way providing a secondary means of public access to abutting property and not intended for general traffic circulation.

“Amendment” means a change in the Zoning Code. There are three types of zoning related amendments: those that request a reclassification of land allowing a change in the range of permitted uses on a specific piece of property (termed “rezones”); those which

provide zone designations for land to be annexed to the city (termed “prezones”); and those which request a change in the text of this code. (See Chapter 20.48 for amendment procedures.)

“Amusement parks,” “carnival” or “fair” mean a seasonal use operated for profit offering portable facilities and equipment for recreational and entertainment purposes.

“Animal husbandry” means the raising of domesticated farm animals when, in the case of dairy cows, beef cattle, horses, ponies, mules, llamas, goats and sheep, their primary source of food, other than during the winter months, is from grazing the pasture where they are kept.

Animal Shelter, Community. “Community animal shelter” means a place where dogs, cats or other stray or homeless animals are sheltered as part of a community animal control and protection program. Activities and services may include kenneling, animal clinic, pet counseling and sales, as well as animal disposal. (See Chapter 20.130.)

“Approving authority” means the director, city manager, planning commission, hearing examiner or city council of the city of Walla Walla as provided in this code.

“Assembly area” means any area used for the gathering or congregation of persons with or without the provision of seating and including any area designed for spectator activity.

“Automobile and trailer sales area” means an open area other than a street, used for the display, sale or rental of new or used automobiles or trailers and where no repair work is done except minor incidental repair of automobiles or trailers to be displayed, sold or rented on the premises.

“Automotive wrecking yard” means a premises used for the storage or sale of used automobile or truck parts, or for dismantling, or abandonment of junk, obsolete automobiles, trailers, trucks, machinery, or parts thereof. Automobile wrecking yards must be licensed by the Washington State Department of Licensing.

“Avigation easement” means the right to use the air space above grantor’s property in accordance with the rules and regulations regarding takeoff, landing and traffic patterns.

#### 20.06.030.E E Definitions.

***“Emergency housing” means temporary indoor accommodations for individuals or families who are experiencing abuse or are homeless or at imminent risk of becoming abused or homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.***

***“Emergency shelter” means a facility that provides a temporary shelter for individuals or families who are currently experiencing abuse or are homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations. Emergency shelters include overnight shelters which provide safe and dry conditions which save lives.***

“Essential public facilities” are those facilities that are typically difficult to site and necessary to provide essential public services, such as airports, state education facilities and state or regional transportation facilities as defined in RCW 47.06.140, state and local correctional facilities, solid waste handling facilities, and in-patient facilities including substance abuse facilities, mental health facilities, group homes, and secure community transition facilities as defined in RCW 71.09.020, and include supporting facilities needed for such essential public facilities. It is not necessary that the facilities be publicly owned.

***“Extremely low-income household” shall mean the same as defined in RCW 36.70A.030.***

#### 20.06.030.L L definitions.

“Lot” means a designated parcel, tract or area of land established by plat, subdivision, or as otherwise permitted by law, to be used, developed or built upon as a unit. (See Figure 20.06-2.) A “lot” in a manufactured/mobile home park refers to a space designated for a manufactured home which is not subject to the lot area requirements of this code.

“Lot area” means the total area within the lot lines of a lot, excluding any street rights-of-way.

“Lot, corner” means a lot or parcel of land abutting upon two or more streets at their intersection or upon two parts of the same street forming an interior angle of less than one hundred thirty-five degrees. (See Figure 20.06-2.)

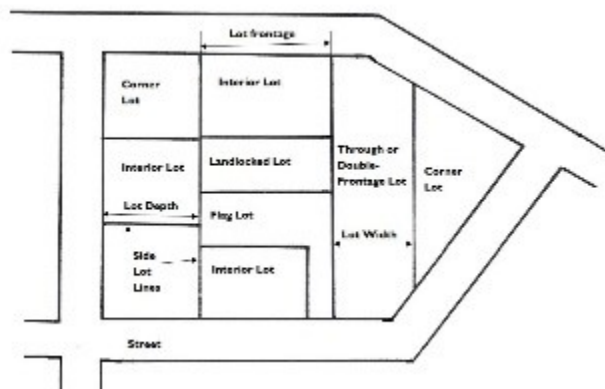


Figure 20.06-2 – Lot Layout

“Lot coverage” is the percentage of net land area of a site that can be covered with roofed structures.

“Lot depth” means the distance measured from the front lot line to the rear lot line. (See Figure 20.06-2.) For lots where the front and rear lot lines are not parallel, the lot depth shall be measured by drawing lines from the front to rear lot lines, at right angles to the front lot line, every ten feet and averaging the length of these lines.

Lot, Double Frontage. See “Lot, through.”

“Lot, flag” means a lot only a narrow portion of which fronts on a public/private road and where access to the public/private road is across that narrow portion.

“Lot, frontage” means the length of the front lot line measured at the street right-of-way line. (See Figure 20.06-2.)

“Lot, interior” means a lot other than a corner lot. (See Figure 20.06-2.)

“Lot, landlocked” means a lot which has no deeded access to a public street. (See Figure 20.06-2.)

“Lot line” means a line of record bounding a lot which divides one lot from another lot or from a public or private street or any other public space. (See Figure 20.06-3.)

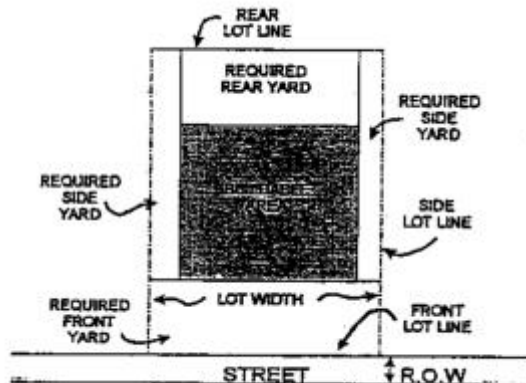


Figure 20.06-3 – Lot Lines

“Lot line, front” means the lot line separating a lot from a street right-of-way, or in the case of a flag lot, the line closest to a street right-of-way excluding the flagpole portion of the property. (See Figure 20.06-3.)

“Lot line, rear” means the lot line opposite and most distant from the front lot line; or in the case of a triangular or otherwise irregularly shaped lot, a line ten feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line. (See Figure 20.06-3.)

“Lot line, side” means any lot line other than a front or rear lot line. (See Figure 20.06-3.)

“Lot of record” means a lot legally existing prior to the effective date of this code.

“Lot through” means a lot which fronts upon two parallel streets, or which fronts upon two streets which do not intersect at the boundaries of the lot. (See Figure 20.06-2.)

“Lot width” means the horizontal distance between the side lines of a lot measured along a straight line parallel to the front lot line at the minimum required building setback line. (See Figure 20.06-3.)

***“Low-income household” shall mean the same as defined in RCW 36.70A.030.***

“Low impact development (LID)” is an approach to land development (or redevelopment) that works with nature to manage stormwater as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features and minimizing effective imperviousness.

“Low impact development best management practices (LID BMPs)” are as defined in Chapter 12.01.

“Low-volume traffic generation” means uses such as furniture stores, carpet stores, major appliance stores, etc., that sell items that are large and bulky, that need a relatively large amount of storage or display area for each unit offered for sale, and that therefore generate less customer traffic per square foot of floor space than stores selling smaller items.

#### 20.06.030.M M definitions.

“Manufactured home within a manufactured home park” means a structure which is designed and built as a permanent dwelling unit but which is: (1) not constructed in accordance with the standards set forth in the International Residential Code (IRC) and local codes applicable to site-built homes, and (2) is constructed with an integral frame of “T” beams or tubular steel which is the structural foundation of the home itself and which provides the attachment for transport assemblies used to tow the mobile home to the point of use. This definition does not include mobile homes, modular homes, commercial coach, or recreational vehicles.

“Manufactured home on a single parcel” means “new” and “designated manufactured homes” as defined in RCW 35.63.160 and RCW Title 46 and is not a “used mobile home” as defined in RCW 82.45.030(2).

“Manufactured (mobile) home park” means a residential use in which more than one mobile or manufactured home is located on a parcel of land under single ownership. (See Chapter 20.184.)

“Modular home” means a dwelling unit constructed in accordance with the standards set forth in the International Residential Code (IRC) and local codes applicable to site-built homes and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. Among other possibilities, a modular home may consist of two sections transported to the site in a manner similar to a manufactured home, or a series of panels or room sections transported on a truck and erected or joined together on the site.

***“Moderate-income household” shall have the same meaning as defined in RCW 84.14.010.***

“Multi-use pathway” means an on-site pathway designed to provide pedestrian and bicycle access and circulation through and within a site.

#### 20.06.030.S S definitions.

“Sand and gravel pits” means an area where earthen materials in excess of five hundred cubic yards are extracted from the site for commercial purposes which may or may not include stockpiling.

Satellite Dishes. (See Chapter 20.170, Wireless Communication Facilities.)

SEPA – State Environmental Policy Act/Rules. Refers to Chapter 43.21C RCW and SEPA Rules in Chapter 197-11 WAC adopted by the Washington State Department of Ecology. Refers further to the city’s environmental ordinance in Title 21 and Chapter 20.134.

“Service station” means a retail facility to provide motor fuel and other petroleum products to motor vehicles, and may include lubrication and minor repair service and incidental sale of motor vehicle accessories.

~~“Shelter” means short term, emergency housing for homeless or abused persons. Typically a shelter offers housing and meals to such individuals for up to thirty days; however, longer stays may be allowed according to the need.~~

Sight Visibility Triangle. Referred to in this code as “clearview triangle.”

“Sign” means any device, structure, fixture (including the supporting structure) or any other surface that identifies, advertises and/or promotes an activity, product, service,



place, business, political or social point of view, or any other thing. (See Division VI of this title, Sign Regulations.)

“Significant tree” means a tree in good condition at least six inches in diameter at breast height (DBH) where the diameter of the tree is measured four and one-half feet above the ground, as determined by the municipal arborist.

“Site plan” means the development plan for one or more lots on which is shown the existing and proposed conditions of the lot including: topography, vegetation, drainage, flood plains, marshes and waterways; open spaces, walkways, means of ingress and egress, utility services, landscaping, structures and signs, lighting and screening devices; any other information that reasonably may be required in order that an informed decision can be made by the reviewing body and/or approving authority. (See Chapter 20.46, Site Plan Review Committee.)

“Special events” means circuses, fairs, carnivals, festivals, or other types of special events that (1) run for longer than one day but not longer than two weeks, (2) are intended to or likely to attract substantial crowds, and (3) are unlike the customary or usual activities generally associated with the property where the special event is to be located.

“Special use permit” means a permit issued by the hearing examiner that authorizes the recipient to make use of property which has lost its nonconforming status. (See Chapter 20.224, Special Use Permits.)

“Stall” means the parking space into which vehicles park. (See “Parking space, stall.”)

“Storage facilities, bulk” means either enclosed or outdoor areas designed for the storage of either large quantities of materials or materials of large size.

“Storage facilities, commercial” means enclosed storage areas designated as support facilities for commercial activities and used for the storage of retail materials.

“Storage facilities, residential mini-storage” means enclosed areas providing storage for residential goods and/or recreational vehicles within the structure.

“Stormwater drainage system” shall have the same meaning as defined in Chapter 13.06.

“Stormwater facility” shall have the same meaning as defined in Chapter 13.06.

“Street” means the entire width between the boundary lines of every way which provides for public use for the purposes of vehicular and pedestrian traffic and including the terms “road,” “highway,” “lane,” “place,” “avenue,” or other similar designations. Nothing may be placed or located within this area except public facilities landscaping subject to clearview triangle standards (in Chapter 20.114, and off-premises directional signs as provided in Section 20.204.150(B)).

“Structural alteration” means any change to the supporting members of a structure including foundations, bearing walls, or partitions, columns, beams, girders, or any structural change in the roof or in the exterior walls.

“Structure” or “building” means that which is built or constructed. An edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner and which requires a location on the ground or which is attached to something having a location on the ground, whether assembled on site, or assembled elsewhere and placed on the site. This definition does not include paved areas or fences under six feet in height.

“Subarea plan” means a land use plan for a subarea designated by the Comprehensive Plan which is adopted by the Walla Walla city council pursuant to Chapter 36.70A RCW.

Subdivision. See Title 19, Subdivisions. Refers also to Chapter 58.17 RCW.

#### 20.06.030.T T definitions.

~~Temporary or Emergency Housing. The terms “temporary” or “emergency housing” in this code are synonymous with “shelter.”~~

“Temporary structure” means a structure without any foundation or footings and which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

“Temporary use” means a use established for a period of time fixed in the permit which authorizes the use.

“Tower” means any structure whose principal function is to support an antenna.

“Townhouse” means two- or three-story attached dwelling units constructed on separate lots.

***“Transitional housing” shall have the same meaning as defined in RCW 84.36.043***

Tract. The term “tract” is used interchangeably with the term “lot.”

#### 20.06.030.V V definitions.

“Variance” means a grant of permission by the hearing examiner that authorizes the recipient to adjust specific dimensional regulations of this code applicable to a particular piece of property. (See Chapter 20.220, Variances.)

“Variance, minor” means a variance of up to ten percent of any dimensional standard of this code, authorized by the director.

“Vegetated LID BMP” means LID BMPs that include vegetation components such as bioretention and vegetated roofs.

*“Very low-income household” shall have the same meaning as defined in RCW 36.70A.030.*

Vision Clearance Area. Referred to in this code as “clearview triangle.”

## Chapter 20.30 LEVEL VI REVIEW

Sections:

20.30.010 Purpose.

20.30.020 When required.

20.30.030 Review procedures, decision – Level VI.

~~20.30.040 Comprehensive Plan/Subarea Plan adoption/amendment criteria.~~

20.30.030 Review procedures, decision – Level VI.

The review procedures for Level VI proposals are governed by the applicable provisions of the Walla Walla Municipal Code and the Revised Code of Washington.

A. Annexations. The zoning of property to be annexed will be determined according to Section 20.02.080. Annexations shall be processed as provided in Chapter 35A.14 RCW, as amended, Sections 20.02.080 and 20.14.090, and this chapter.

B. Prezones. Prezones, also known as proposed zoning regulations, shall be processed as provided in RCW 35A.14.330 and 35A.14.340, as amended.

C. Street Vacations. Street vacation requests shall be processed according to Chapter 35.79 RCW, Sections 20.14.085 and 20.14.090, and this chapter. Street vacation petitions shall be reviewed by the site plan review committee and the planning commission before they are brought to the city council for consideration. The planning commission is not required to hold a public hearing and may consider the petition at a public meeting. At a public meeting, the planning commission shall consider the recommendation of the site plan review committee and make a recommendation to the city council. The SPRC shall review the proposed street vacation for its impact on the city’s current and future traffic circulation and utility facility planning.

~~D. Comprehensive Plan/Subarea Plan Adoption and Amendments.~~

~~1. Comprehensive Plan and Subarea Plan provisions and designations regarding the city, and amendments thereto, shall be processed in accordance with RCW 35A.63.070, 35A.63.071, 35A.63.072, 35A.63.073, and Chapter 36.70A RCW. Public notice and participation shall be provided in accordance with the notice and hearing requirements of this title. The planning commission shall, following public hearing, forward its recommendation to the city council for consideration and decision. The Walla~~

~~Walla city council shall conduct a public hearing upon a plan or amendment proposal prior to taking action thereon. City council adoption shall constitute final action upon the provisions and designations which regard the city. The city council may, in its discretion, accept additional public comment at any time before final action is taken; however, an additional opportunity for review and comment upon a plan or amendment proposal is not required after the public hearing is closed unless the city council chooses to consider a change to the draft which was available for public review and comment after the opportunity for review and comment on the draft has passed and none of the exceptions below apply. An additional opportunity for public review and comment upon such a change is not required if:~~

~~a. An environmental impact statement has been prepared for the proposal and the change is within the range of alternatives considered in the impact statement;~~

~~b. The change is within the scope of alternatives available for public comment;~~

~~c. The change only corrects typographical errors, corrects cross-references, makes address or name changes, or clarifies language of the proposal without changing its effect;~~

~~d. The change relates to a capital budget decision; or~~

~~e. The change is to a moratorium or interim control.~~

~~2. Comprehensive Plan and Subarea Plan provisions and designations regarding only the unincorporated urban growth area, and amendments thereto, shall be processed in accordance with the Walla Walla County Code.~~

~~3. Comprehensive Plan and Subarea Plan provisions regarding both the city and the unincorporated urban growth area, and amendments thereto, shall be processed by the city as provided in subsection (D)(1) of this section. City council adoption shall constitute final action upon the provisions and amendments regarding their application within the city and recommendation to the County Commissioners regarding their application in the unincorporated urban growth area. Recommendations with respect to the unincorporated urban growth area shall be thereafter processed in accordance with the Walla Walla County Code.~~

**DE.** SEPA Review. All Level VI legislative proposals will be reviewed by the department and, if SEPA review is required, such review will be conducted by the responsible official in accordance with the provisions of Chapter 20.14 and Title 21 of this code and Chapter 197-11 WAC prior to final approval by the city council.

~~20.30.040 Comprehensive Plan/Subarea Plan adoption/amendment criteria:~~

~~A. The city's action on a Comprehensive Plan adoption or amendment proposal shall be based on legislative findings upon whether or not the proposal conforms with Chapter 36.70A RCW.~~

~~B. The city's action on a Subarea Plan adoption or amendment proposal shall be based on legislative findings upon whether or not the proposal is consistent with the Comprehensive Plan.~~

## ***Chapter 20.34 DEVELOPMENT AGREEMENTS***

### ***Sections:***

***20.34.010 Authority.***

***20.34.020 General provisions.***

***20.34.030 Term.***

***20.34.040 Approval procedure, recording.***

***20.34.050 Judicial Appeal.***

### ***20.34.010 Authority.***

***A. The city may, in accordance with the provisions of RCW 36.70B.170-210, enter into a development agreement with a person(s) having ownership or control of real property within its jurisdiction, or outside its boundaries as part of a proposed annexation or a utility service agreement.***

***1. The execution of a development agreement is a proper exercise of the city's police power and contract authority.***

***2. A development agreement may obligate a party to fund or provide services, infrastructure, or other facilities.***

***3. A development agreement shall reserve authority to impose new or different regulations to the extent required by a serious threat to public health and safety.***

***B. Development agreements are not "project permit" applications as defined in RCW 36.70B.020. Therefore, there is no deadline for processing a development agreement. If an applicant requests that the city execute a development agreement as part of its approval of a project permit application, the applicant must first sign a written waiver of the deadline for issuance of the final decision of the project permit application.***

### ***20.34.020 General provisions.***

***A. A development agreement must set forth the development standards and other provisions that shall apply to, govern and vest the development, use, and mitigation of the development of the real property for the duration specified in the agreement, provided that:***

***1. The development agreement shall be consistent with all applicable development regulations.***

*2. The provisions of this section do not affect the validity of a contract rezone, concomitant agreement, annexation agreement, or other agreement in existence or adopted under separate authority.*

*3. For the purposes of this section, "development standards" includes, but is not limited to:*

*a. Project elements such as permitted uses, residential densities, and nonresidential densities and intensities or building sizes;*

*b. The amount and payment of impact and mitigation fees imposed or agreed to in accordance with any applicable provisions of state law, any reimbursement provisions or other financial contributions by the property owner, inspection fees, or dedications;*

*c. Mitigation measures, development conditions, and other requirements under RCW 43.21C;*

*d. Design standards such as maximum heights, setbacks, drainage and water quality requirements, landscaping, and other development features;*

*e. Affordable housing, if applicable;*

*f. Parks and open space preservation;*

*g. Phasing;*

*h. Review procedures and standards for implementing decision;*

*i. A build-out or vesting period for applicable standards; and*

*j. Any other appropriate development requirement or procedure.*

#### *20.34.030 Term.*

*Development agreements applicable to properties within the boundaries of the city are limited to a ten-year timeframe. An extension of one to ten years may be exercised upon mutual approval of both the developer and the city. Development agreements applicable to properties outside of the city boundaries may continue in effect until a date as specified in the agreement. Agreements outside the city may contain variable expiration dates for some, or all, of the standards listed in this section.*

#### *20.34.040 Approval procedure, recording.*

*A. A development agreement shall only be approved by the city council after a public hearing. The director shall determine the hearing body based on the nature of the proposed action necessitating a development agreement. A hearing body, other than the city council, shall conduct a hearing and forward its recommendation to the city council for consideration and decision.*



*B. Upon approval, a development agreement shall be recorded with the Walla Walla County Auditor.*

*1. During the term of a development agreement, it is binding on the parties and their successors.*

*2. Unless amended or terminated, a development agreement is enforceable during its term by a party to the agreement.*

*3. Any permit or approval issued by the city after the execution of a development agreement must be consistent with the terms of the development agreement.*

*4. A development agreement and the development standards incorporated in the agreement govern during the term of the agreement, or for all or that part of the build-out period specified in the agreement, and may not be subject to an amendment to a zoning ordinance or development standard or regulation or a new zoning ordinance or development standard or regulation adopted after the effective date of the agreement.*

#### *20.34.050 Judicial Appeal.*

*If a development agreement relates to a project permit application, the provisions of Chapter 36.70C RCW shall apply to the appeal of the decision on the development agreement.*

## Chapter 20.48 AMENDMENTS

Sections:

20.48.010 Purpose.

20.48.020 Who may initiate.

20.48.030 Procedure.

20.48.040 Review criteria for site specific rezones.

20.48.045 Review criteria prezones, area wide rezones and text amendments.

20.48.050 Record of amendments.

20.48.060 Limits on reapplication.

*20.48.100 Comprehensive Plan/Subarea Plan Adoption and Amendments.*

*20.48.200 Docketing – Comprehensive plan/development regulations amendment suggestion procedure.*

20.48.010 Purpose.

The purpose of *sections 20.48.010 through 20.48.060* ~~this chapter~~ is to establish the procedures to amend the zoning text and/or map when the proposed change will benefit the general welfare of the community and is consistent with the goals, objectives and policies of the Comprehensive Plan as amended.

A. From time to time a change in circumstance or condition may warrant a change in the Zoning Code consistent with any changes made in the Comprehensive Plan.

B. There are four types of zoning related amendments:

1. Area-Wide Rezone. Legislative approval of land reclassification in an area. An “area-wide rezone” is a change in the Official Zoning Map.

2. Site-Specific Rezone. A reclassification of land from one zoning district to another, allowing a change in the range of permitted uses on a specific piece of property. A “site-specific rezone” is a change in the Official Zoning Map.

3. Zoning Code Text Amendment. A change of the text, standards, procedures or other provisions of this code.

4. Prezone. A prezone provides a zone designation for land to be annexed to the city. Upon annexation the official zoning map is changed to reflect the addition.

20.48.020 Who may initiate.

A. Amendments may be initiated by:

1. The city council;
2. The city manager;
3. The planning commission;
4. The zoning administrator;
5. Any person requesting amendment to the text of this code;
6. Any property owner or contract purchaser or authorized agent requesting a rezone of his property; or
7. Any property owner(s) requesting annexation to the city.

**20.48.100 Comprehensive Plan/Subarea Plan Adoption and Amendments.**

***A. Comprehensive Plan and Subarea Plan provisions and designations regarding the city, and amendments thereto, shall be processed in accordance with RCW 35A.63.070, 35A.63.071, 35A.63.072, 35A.63.073, and Chapter 36.70A RCW. Public notice and participation shall be provided in accordance with the notice and hearing requirements of this title. The planning commission shall, following public hearing, forward its recommendation to the city council for consideration and decision. The Walla Walla city council shall conduct a public hearing upon a plan or amendment proposal prior to taking action thereon. City council adoption shall constitute final action upon the provisions and designations which regard the city. The city council may, in its discretion, accept additional public comment at any time before final action is taken; however, an additional opportunity for review and comment upon a plan or***

*amendment proposal is not required after the public hearing is closed unless the city council chooses to consider a change to the draft which was available for public review and comment after the opportunity for review and comment on the draft has passed and none of the exceptions below apply. An additional opportunity for public review and comment upon such a change is not required if:*

*1. An environmental impact statement has been prepared for the proposal and the change is within the range of alternatives considered in the impact statement;*

*2. The change is within the scope of alternatives available for public comment;*

*3. The change only corrects typographical errors, corrects cross-references, makes address or name changes, or clarifies language of the proposal without changing its effect;*

*4. The change relates to a capital budget decision; or*

*5. The change is to a moratorium or interim control.*

*B. Comprehensive Plan and Subarea Plan provisions and designations regarding only the unincorporated urban growth area, and amendments thereto, shall be processed in accordance with the Walla Walla County Code.*

*C. Comprehensive Plan and Subarea Plan provisions regarding both the city and the unincorporated urban growth area, and amendments thereto, shall be processed by the city as provided in subsection A of this section. City council adoption shall constitute final action upon the provisions and amendments regarding their application within the city and recommendation to the County Commissioners regarding their application in the unincorporated urban growth area. Recommendations with respect to the unincorporated urban growth area shall be thereafter processed in accordance with the Walla Walla County Code.*

*D. The city's action on a Comprehensive Plan adoption or amendment proposal shall be based on legislative findings upon whether or not the proposal conforms with Chapter 36.70A RCW.*

*E. The city's action on a Subarea Plan adoption or amendment proposal shall be based on legislative findings upon whether or not the proposal is consistent with the Comprehensive Plan.*

*20.48.200 Docketing – Comprehensive plan/development regulations amendment suggestion procedure.*

*A. In accordance with RCW 36.70A.470, suggested changes to the comprehensive plan or development regulations which are not specific to any site or project based may be submitted by any individual, organization or general or special purpose government. A list of such suggestions shall be known as the “docket” and is the means to suggest a*

*change or identify a deficiency, such as the absence of required or potentially desirable content in the comprehensive plan or development regulations. An item may be submitted to the docket at any time during the calendar year. There is no fee associated with submitting an item to the docket.*

*B. Suggested changes must be submitted in writing to the department and shall address the criteria outlined in subsection D of this section.*

*C. Suggestions received by March 31 will be considered in the City's annual comprehensive plan and zoning code amendment cycle. The department will review such suggestions with the city council and determine whether to direct them to the planning commission for further consideration. The city council may decline to consider any item from the docket.*

*D. Suggested amendments on the docket may be considered appropriate for action if the following criteria are met:*

- 1. Addresses a matter appropriate for inclusion in the comprehensive plan or development regulations.*
- 2. Demonstrates a strong potential to serve the public interest.*
- 3. Addresses the interests and changed needs of the entire city.*
- 4. Does not raise a policy or land use issue(s) that may be more appropriately addressed by an ongoing work program.*
- 5. Can be reasonably reviewed and evaluated, given existing staff and budget resources.*
- 6. Has not been acted upon by the City Council in the last three years.*

*E. Any item on the docket that is not determined to be appropriate for action may be proposed under Chapter 20.48 (zoning text and or map amendments) or Section 20.48.200 (comprehensive plan amendments), provided it is timely and properly filed.*

#### 20.50.020 RN Neighborhood Residential.

The Neighborhood Residential Zone is intended to provide for a variety of housing types such as single-family residential up to fourplexes, townhomes, cottage housing, and tiny homes ~~that are compatible with the neighborhood characteristic.~~

A. Level of Uses. The uses allowed by Level I, II, III, or IV procedures in this zone are designated by a 1, 2, 3, or 4 respectively on the Tables of Permitted Land Uses, Chapter 20.100.

B. The Neighborhood Residential Zone has a minimum net density requirement of four dwelling units per acre.

C. Minimum Yard Requirements.

1. Front yard: twenty feet. Corner lots have two front yards: primary and secondary. The primary front yard (generally off-street parking side) shall be full depth; the secondary front yard shall be one-half the required front yard depth. Front yard setback for garage or carport must be twenty feet; front yard setback for house may be reduced to fifteen feet.

2. Side yard: five feet; attached housing with a shared wall/property line can be zero feet except for end units that shall be five feet.

3. Rear yard: twenty feet. Rear yards for detached accessory structures: see Chapter 20.118. Corner lots are not considered to have rear yards.

4. For exceptions to these minimum standards, see Section 20.102.020.

D. Lot Coverage. Buildings shall occupy a maximum of fifty percent of the lot.

E. Building Height. No building shall exceed thirty-five feet.

F. Off-Street Parking. See Chapter 20.127 for residential parking requirements.

20.100.040.C Community Services.

Land Uses	Zoning Districts							
	RN	RM	PR	CC	CH	IL/C	IH	AD
Cemetery	x	x	1	x	x	x	x	x
Churches, Synagogues, Temples	3	3	1	1	1	3	3	3
Colleges (other than state education facilities)	3	3	1	1	1	2	x	3
Community Animal Shelters	x	x	x	x	3	1	1	3
Community Center, Services Clubs, Fraternal Lodges	3	2	1	1	1	2	x	2
Day Care Centers: Mini (1 – 12 children) (*)	1	1	1	1	1	1	x	1
Day Care Centers: Family (13 or more children) (*)	3	3	3	3	3	3	x	1
Essential Public Facilities (•)	3	3	3	3	3	3	3	3

Fire Stations, Police Stations and Ambulance Service	3	3	1	1	1	1	1	1
Funeral Homes, Crematories, Mausoleums and Columbaria	x	3	1	1	1	3	x	x
Government Offices, Quasi-Government Offices, Community Services Agencies Offices	x	3	1	1	1	1	1	1
Hospitals	3	3	1	x	3	3	x	x
<i>Emergency Housing/Shelter</i>	<i>3</i>	<i>1</i>	<i>1</i>	<i>1</i>	<i>1</i>	<i>1</i>	<i>1</i>	<i>x</i>
Libraries	3	3	1	1	1	3	x	x
Museums, Art Galleries	3	3	1	1	1	3	x	x
Schools, Public/Private Schools	3	3	1	2	2	x	x	x
Schools, Vocational Schools	3	3	2	2	2	2	x	2
<del>Shelters, Temporary Housing—Emergency</del>	<del>3</del>	<del>1</del>	<del>1</del>	<del>1</del>	<del>1</del>	<del>1</del>	<del>1</del>	<del>x</del>
Storage of Gravel and Equipment for Street Construction (Permanent)	x	x	1	x	x	3	1	3
Designated Camping Area (☒)	x	x	1	x	x	x	1	x
Zoo	x	x	1	x	x	x	x	x

NOTES:

1. (•) The facility must be sited in accordance with Chapter 20.176, or, in the case of preemption, such other applicable process established by law, before proceeding with Level III conditional use review.
2. (☒) refers to an area designated in accordance with Chapter 9.18.

20.100.040.F Residential.

Land Uses	Zoning Districts
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	RN	RM	PR	CC	CH	IL/C	IH	AD
Accessory Dwelling Unit, Attached	1	1	x	x	x	x	x	x
Accessory Dwelling Unit, Detached	1	1	x	x	x	x	x	x
Adult Family Home	1	1	1	x	x	x	x	x
Animals	See Chapter 20.130							
Boarding House (*)	2	1	x	x	x	x	x	x
Congregate Care Facility (*)	3	3	3	1	1	x	x	x
Conversion of Historic Structures to Nonresidential Use	See Chapter 20.146							
Cottage Housing	1	1	x	x	2	x	x	x
Detached Single-Family Dwelling	1	1	x	x	x	x	x	x
Dwelling Unit, Security Personnel	x	x	x	x	1	1	1	1
Duplex, Triplex and Fourplex	1	1	x	x	x	x	x	x
Garage Sales (*) (1)	1	1	1	1	1	x	x	x
Group Housing for Handicapped Persons (6 or fewer clients)	1	1	1	x	x	x	x	x
Group Housing for Handicapped Persons (More than 6 clients)	3	1	1	x	x	x	x	x
Home Occupations	See Chapter 20.122							
Manufactured Home Parks (*)	3	2	x	x	1	x	x	x
Mobile Home (*) or Manufactured Homes (*) (2)	1	1	x	x	x	x	x	x



Multifamily Dwelling	See Section 20.50.020	1	2	2	2	x	x	x
Nursing Care Home (9 or fewer clients)	3	2	2	2	2	x	x	x
Nursing Care Facility (10 or more clients)	3	3	3	3	3	x	x	x
Permanent Supportive Housing	3	3	x	3	3	<b>3x</b>	x	x
Planned Residential Development (Level 4 Review)	See Title 19, Subdivisions Code							
Residential Use, Commercial Districts (3)	x	x	x	1	1	1	x	x
Satellite Dishes, Receive Only Earth Station, Residential Use (4)	1	1	x	x	x	x	x	x
Short-Term Rental Type 1 (Principal Residence)	1	1	x	1	1	x	x	x
Short-Term Rental Type 2 (Not Owner-Occupied)	x	x	x	1	1	x	x	x
Temporary Hardship Units (Mobile Home)(2)	2	2	2	x	x	x	x	x
<b><i>Transitional Housing</i></b>	<b>3</b>	<b>3</b>	<b>x</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>x</b>	<b>x</b>

NOTES:

1. No residential premises shall have more than 4 per year for a total of 12 days a year. See Section 20.118.060.
2. Subject to specific development standards. See Division V.
3. Second story and above.
4. Subject to specific development standards. See Chapter 20.170.

## Chapter 20.118 RESIDENTIAL ACCESSORY USE STANDARDS

### 20.118.030 Accessory dwelling units.

A. An accessory dwelling unit (ADU) is a habitable living unit that provides the basic requirements of shelter, heating, cooking and sanitation. The purpose of accessory dwelling units is to:

1. Provide homeowners with a means of obtaining, through tenants in either the ADU or the primary unit, rental income, companionship, security, and services.
2. Add affordable units to the existing housing.
3. Make housing units available to moderate- income people who might otherwise have difficulty finding homes within the city.
4. Develop housing units in ~~single-family~~ neighborhoods that are appropriate for people at a variety of stages in the life cycle.
5. Protect neighborhood stability, property values, and the ~~single-family~~ residential appearance of the neighborhood by ensuring that ADUs are installed under the conditions of this code.

B. Accessory dwelling units are permitted in residential zones subject to the following standards:

1. Accessory dwelling units are permitted only as an accessory use to a single-family residence or duplex in a residential zone.
2. The maximum size of an accessory dwelling shall be eight hundred square feet.
3. A building permit application is required for all accessory dwelling units.
4. There shall be only one entrance on the front of a house. Separate entrances to an accessory dwelling unit are permitted at the side or rear of the primary dwelling unit.
5. One off-street parking space is required in addition to the off-street parking spaces required for the primary residence. Parking must be provided in the rear of the lot or on a driveway.
6. The maximum number of accessory dwelling units allowed on any lot shall be one.

C. Application for an ADU shall be made in accordance with the permit procedures established in Chapter 20.14.

## Chapter 20.134 ENVIRONMENTAL PERFORMANCE

### 20.134.070 Storage – Residential.

A. Inside Storage. Every reasonable effort shall be made by persons using property as a residence to store raw materials, fixtures, equipment and solid waste related to residential activities entirely enclosed within a building with the following exceptions:

1. Licensed, operable motor vehicles;
2. Lawn furniture in good repair;
3. Lawn care items such as hoses and lawn ornaments;
4. Licensed trailers, recreational vehicles and the like;
5. Fuel for wood burning appliances;
6. Construction material temporarily stored on the premises for use at that site.

B. Outside Storage.

1. Where outside storage is allowed by this code, it shall be maintained in an orderly manner consistent with good housekeeping practices and shall create no fire, safety, health, or sanitary hazard.

2. Appliances and other mechanical equipment normally used in the residential environment which are no longer operable, shall not be stored outside for more than fourteen days. Such storage shall not be allowed within the front or side yard setbacks. *For corner lots, such storage shall not be allowed within the primary and secondary front yard setbacks, as described in 20.50.020(C).*

3. Boats, trailers, recreational vehicles, and the like stored outside must be:

a. Stored within the rear or side yard. *For corner lots, stored within the side yards.*

b. Licensed and operable.

4. Motor vehicles, boats, trailers, recreational vehicles and the like which are not operable or licensed and which are stored outside must be:

a. Stored within the rear yard (*or for corner lots, stored within the side yards*), and screened from view by a six-foot high sight obscuring fence or six-foot high dense landscaping, or may be stored under a cloth or vinyl cover designed for that purpose.

5. No more than two inoperable or unlicensed motor vehicles, boats, trailers, recreational vehicles or the like may be stored outside on a residential property. A motor

vehicle is considered inoperable if it cannot legally be driven on the streets of Walla Walla under its own power, or in the case of a trailer, cannot be legally, safely and properly towed.

6. The total number of vehicles parked or stored outside (not within a totally enclosed structure) on any lot or property in ~~single-family~~ residential use shall not exceed six, including trailers and RVs.

C. Storage – Prohibited. Neither inside or outside storage of materials or equipment associated with a commercial or industrial use is allowed on a residential zoned property with the following exceptions:

1. Materials and equipment associated with an approved home occupation.

2. Business vehicles, not exceeding a vehicle gross weight of ten thousand pounds, associated with a contractor or other service provider, provided the contractor may not store more than two such vehicles on his property. Such vehicles shall be similar to the type of domestic vehicles normally associated with residential use; i.e., car, pickup, van.

## Chapter 20.172 WINERIES, BREWERIES AND DISTILLERIES

### Sections:

20.172.010 Purpose.

20.172.020 Definitions.

20.172.030 Uses permitted by zone.

20.172.040 Conditional use standards.

20.172.010 Purpose.

The purpose of this chapter is to establish standards for wineries, ~~and~~ breweries, ~~and~~ *distilleries* in Commercial and Industrial zones.

Wineries, ~~and~~ breweries, ~~and~~ *distilleries* are recognized as contributing to the economy and culture of the community. These provisions are the framework for local review of applications for wineries, *breweries* and ~~breweries~~ *distilleries*, the zones within which they are permitted, and the standards which apply to development in the various zones.

The facility types and review standards established in this chapter are not intended to modify or supersede statutory regulation of wineries, *breweries*, and ~~breweries~~ *distilleries*.

20.172.020 Definitions.

For purposes of this code, the following definitions of wineries, breweries, and distilleries are established.

A. Wineries.

1. Type A Winery. Winery with emphasis on pedestrian-oriented retail sales and services and on-site tasting, but without primary fruit processing or bulk fermentation.
2. Type B Winery. Winery with emphasis on pedestrian-oriented retail sales and services and on-site tasting, with primary fruit processing or bulk fermentation.
3. Type C Winery. Winery with either on-site primary fruit processing or bulk fermentation or both, with emphasis on industrial production rather than pedestrian-oriented access and commercial activity.

B. Breweries.

1. Type A Brewery. Brewery with primary processing associated with restaurant.
2. Type B Brewery. Brewery with primary processing with or without on-site tasting, not associated with restaurant.

**C. Distilleries**

**~~€1. Type A~~ Distillery.** A distillery facility which produces ***more than one hundred fifty thousand gallons of by distillation*** spirits for consumption, the sales and distribution of which are subject to regulation by the Washington State Liquor Control Board. Uses that are clearly incidental to the production of spirits are allowed accessory uses to a distillery.

**~~D2. Type B~~Craft Distillery. ~~As defined in Chapter 66.24 RCW. A “craft distillery” means a distiller producing one hundred fifty thousand gallons or less of spirits with at least half of the raw materials used in production grown in the state of Washington. A distillery facility which produces one hundred fifty thousand gallons or less of spirits for consumption, the sales and distribution of which are subject to regulation by the Washington State Liquor Control Board. Uses that are clearly incidental to the production of spirits are allowed accessory uses to a distillery.~~**

20.172.030 Uses permitted by zone.

This table determines the level of review by which applications for various types of wineries, breweries, and distilleries will be processed. If a zone is not listed in the table, wineries, breweries, and distilleries are not permitted in that zone. If a listed zone contains the symbol “X” in a cell corresponding to a particular type of winery, brewery, or distillery as defined above, that type of facility is not permitted in that zone.

Level I review process is found in Chapter 20.18. Level II review process is found in Chapter 20.22. Level III review process is found in Chapter 20.26.

Table 20.172.030-1  
Permitted Zones and Required Review Levels

	Central Commercial	Highway Commercial	Light Industrial Commercial	Heavy Industrial	Airport Development
Type A Winery	Level I	Level I	Level I	X	Level I
Type B Winery	Level III	Level II	Level I	Level I	Level I
Type C Winery	X	X	Level I	Level I	Level I
Type A Brewery	Level I	Level I	Level I	X	Level I
Type B Brewery	X	Level II	Level I	Level I	Level I

Table 20.172.030-1  
Permitted Zones and Required Review Levels

	Central Commercial	Highway Commercial	Light Industrial Commercial	Heavy Industrial	Airport Development
<b>Type A</b> Distillery	X	X	Level I	Level I	Level I
<b>Type B</b> Craft Distillery	Level II	Level II	Level I	Level I	Level I

## Chapter 20.212 NONCONFORMING SITUATIONS

### 20.212.060 Repair, maintenance and reconstruction.

A. Minor repairs to and routine maintenance of property where nonconforming situations exist are permitted and encouraged. Such activities are subject to Level I review.

***B. Expansion, enlargement, repair or reconstruction of a nonconforming residential accessory structure may be permitted under Level I processing when the nonconformity is a result of setback issues, and placement of accessory structures on the rear side property lines is a common neighborhood characteristic.***

C. Major renovations or reconstruction, i.e., work estimated to cost over twenty-five percent of the replacement costs of the structure, may be done only in accordance with conditional use procedures (Level III), Chapter 20.216. In addition to the general criteria of Section 20.216.040, the following criteria shall be met when repairs or reconstruction costs are greater than fifty percent of the replacement cost:

1. The proposed repair or reconstruction does not materially increase noise, odor, traffic, or other adverse effects on surrounding property which conforms to the provisions of the use zone applicable to the property.

2. The proposed repair or reconstruction does not increase the nonconformity of the structure or use.

~~***3. Expansion, enlargement, repair or reconstruction of a nonconforming residential accessory structure may be permitted under Level I processing when the nonconformity is a result of setback issues, and placement of accessory structures on the rear side property lines is a common neighborhood characteristic.***~~

**ED.** Nothing in this chapter shall prevent the strengthening or restoring to a safe condition of any nonconforming building ordered by any official charged with protecting public safety. (Ord. 2001-17 § 15, 2001).



ar-4466

40 Mins.

**City Council - Work Session**

**Meeting Date:** 12/13/2021

**Item Title:** Presentation and Discussion regarding the American Rescue Plan Act Funding

**Submitted For:** Jean Teasdale, Finance Department

**Add'l Contributors:**

**Project No:**

**Funding/BARS No.:**

**Financial Comments:**

Discussion regarding the second year of funding for the American Rescue Plan Act.

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**Information**

**HISTORY:**

An additional piece to the Federal funding for economic stimulus was the American Rescue Plan Act of 2021 (ARPA). This act is a \$1.9 trillion dollar bill meant to provide stimulus funding to a variety of organizations and individuals. The bill passed the House on February 27, 2021 and the Senate on March 6, 2021 with amendments. On March 10, 2021, the House agreed to the amendments and on March 11, President Biden signed the bill into law.

Of the \$65.1 billion allocated to cities and non-county municipalities, the City of Walla Walla will receive \$9,974,964 in two payments of \$4,987,482 each. The first payment was received in May 2021 and the second payment will be in 2022. The deadline to commit the funds is December 31, 2024 and the deadline to spend the funds is December 31, 2026.

The City has prepared an initial list of immediate needs that could be addressed using the ARPA funding and the recovery of lost revenues. The initial list was discussed with the Finance Committee on June 14<sup>th</sup> and was presented to the full Council on June 21, 2021.

This list includes: 1) lost revenue recovery of \$2,314,377, 2) three police officer positions and one parking enforcement position in the Police Department for \$500,000, 3) one-half the cost of a fire engine for \$322,430, 4) ambulance equipment for \$250,000, 5) improvements to the Senior Center Parking Lot for \$350,000, 6) Heritage Park Rebuild for \$1,600,000, 7) 1<sup>st</sup> Street Plaza for \$850,000, and Sportsplex enhancements for \$950,000. This Council Work Session is to start the conversation to finalize a second list for funding in fiscal year 2022 as part of the second ARPA payment. It is possible the federal guidelines might change and the City should be flexible in establishing the final list to allow for funding opportunities that may arise over the next several years.

The projects proposed for ARPA funding include the following: 1) aid to non-profits which are necessary due to the COVID-19 Pandemic in the amount of \$150,000, 2) Police equipment consisting of radios to replace aging equipment, a 3-D laser for reviewing crime scenes, replacement of service guns, and a tactical drone. The total estimated cost of the equipment is \$ 253,000 and 3) replacement of park playground equipment in Eastgate Lions Park for \$250,000.



**POLICY ISSUES:**

Because the ARPA funding is a federal grant, the City has to adhere to the restrictions and requirements of the U.S. Department of the Treasury.

**PLAN COMPLIANCE:**

The ARPA funding addresses all five strategies from the Strategic Plan.

Strategic Initiative 1 – Short-term: Foster and commit to a program to improve leadership skills and organizational development;

Strategic Initiative 2 – Long-term: Fix and Improve the City's Infrastructure;

Strategic Initiative 3 – Mid-term: Develop a strategic communications plan;

Strategic Initiative 4 – Long-term: Encourage Economic development to strengthen the community;

Strategic Initiative 5 – Mid-term: Achieve organizational and city resiliency.

**ALTERNATIVES:**

The Council could choose to allocate the grant funding to other projects.

**CITY MANAGER COMMENTS:**

Approved for City Council workshop discussion.

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**Attachments**

*No file(s) attached.*

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